

Agency Strategic Plan

Department of Labor & Industry (181)

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Mission and Vision

Mission Statement

It is the mission of the Virginia Department of Labor and Industry to make Virginia a better place in which to work, live, and conduct business. We will achieve this goal by promoting safe, healthful workplaces, best employment practices, job training opportunities through registered apprenticeship, the protection of children from hazardous employment, and safe operation of boiler and pressure vessels.

Vision Statement

We envision the Department of Labor and Industry as an agency that continues to protect workers, the public, and businesses in the Commonwealth. We protect children from working in hazardous occupations. We enhance Virginia's economy by promoting a strong, skilled labor base. We improve workplace productivity and reduce costs by furthering sound occupational safety and health practices, as well as by administering fair and timely enforcement actions against those who violate state and federal workplace laws. We protect Virginia's citizens from the hazards of unsafe boiler and pressure vessel operation, and exposure to lead and asbestos. We use our strategic planning process to show our customers and taxpayers that we are genuinely caring experts who promptly and competently address their concerns, and who provide conscientious stewardship of public funds.

Agency Values

- Meeting the requirements of state and federal law in a professional and competent manner.
In dealing with our customers, we value meeting the requirements of state and federal law in a competent professional manner, fulfilling our roles as technical experts who provide clear and correct information, and answering each inquiry or complaint courteously, promptly, and with attentiveness to customer concerns.
- Staying ahead of trends in employee safety, apprenticeship training, boiler regulation, and labor law.
In dealing with our customers, we value staying ahead of new developments in employee safety, apprenticeship training, labor law, and boiler regulation, so that we may proactively be informed about current business and employment trends and use this knowledge to improve our programs.
- Believing that our work benefits others.
In dealing with our customers, we value our belief that our work benefits others. We protect children from hazardous employment, keep workers safe, register trainers of skilled workers, ensure workers are paid for their labor, and protect honest employers from false claims of unpaid wages.
- Serving the public responsively, fairly, and respectfully.
In dealing with our customers, we value serving the public fairly and respectfully, which means that we respond efficiently and promptly, with courtesy, empathy, compassion, and attention to detail. This value emphasizes our belief that we serve those who work, live, and conduct business in Virginia.
- Maintaining professional excellence among our staff.
In dealing with our customers and with each other, we value maintaining the professional excellence of our staff, which emphasizes such principles as ongoing training, encouraging the pursuit of professional excellence, as well as creating an environment that fosters teamwork.
- Performing our duties honestly and with integrity.
In dealing with our customers and with each other, we value performing our duties honestly and with integrity, which emphasizes the principles of telling the truth tactfully, acting ethically in all financial matters, and being as accurate as possible.
- Working constantly to build stronger customer relations.
In dealing with our customers and with each other, we value working constantly to build stronger customer relations, in order to develop partnerships and collaborative strategies to enhance the effectiveness of our services.
- Being innovative and creative.
In dealing with our customers and with each other, we value the creativity and innovation that enables us to provide the highest quality of service to our customers and to continually strive to improve the efficiency of our services.
- Demonstrating the organization's principles and values in all activities, services, and decisions of the agency.
In dealing with our customers, we demonstrate the Department's values in all activities, services, and decisions of the Agency, which emphasizes such principles as honesty, integrity, behavior that is financially ethical, respect for others, courtesy, competence, attention to detail, accuracy, innovation, creativity, professional excellence, and ongoing training.

Executive Progress Report

Service Performance and Productivity

- Summary of current service performance

DOLI measures its service performance through performance measures tied to its strategic plan goals and objectives.

DOLI's first goal is to promote and foster safe, healthy, and productive workplaces for Virginia workers, businesses, and the general public.

DOLI's first objective under this goal is to work toward reducing workplace fatalities in the high-hazard construction industry.

DOLI uses as a measure the U.S. Department of Labor (USDOL) tables that record yearly rates of fatality per 100,000 workers in the high-hazard construction industry. The Agency does not have direct control of workplaces, but we track this measure. The 2008 fatality rates are the rates that were published in 2008 by the U.S. Department of Labor (USDOL), Bureau of Labor Statistics (BLS). The figures published in 2008 are based on the latest statistics available, figures that were collected for calendar year 2006. There is a time lag in the actual occurrence of the fatalities and the gathering of data and the publication of fatality rates.

A second objective under this goal is to work toward reducing workplace injuries and illnesses in the high-hazard construction industry.

DOLI uses the U.S. Department of Labor (USDOL), Bureau of Labor Statistics (BLS) tables that record rates of injury/illness per 100 workers in the high-hazard construction industry. The Agency does not have direct control of workplaces, but we track data on illnesses and injuries.

A third objective under this goal is to respond quickly to all safety and health complaints.

DOLI uses the Integrated Management Information System (IMIS) database to measure the percentage of occupational safety and health complaints which are either responded to within one business day or for which an on-site inspection is conducted within five business days.

DOLI also measures the number of occupational safety and health hazards identified. As safety and health inspections are conducted by compliance officers and consultants, identified hazards are recorded and maintained in the VOSH IMIS Compliance database, and the Voluntary Compliance database.

A fourth objective under this goal is to work toward reducing workplace injuries and illnesses in the asbestos and lead abatement industry.

DOLI measures the percentage of asbestos and lead contractors inspected each year. To obtain this percentage, we collect data from the Lead Asbestos Removal System (LARS) and the VOSH Integrated Management Information System (IMIS).

A fifth objective under this goal is to respond quickly to health and safety complaints involving asbestos and lead.

DOLI uses the Integrated Management Information System (IMIS) database to measure what percentage of responses to health/safety complaints involving lead and/or asbestos are investigated within one business day.

A sixth objective under this goal is to eliminate, or mitigate, injuries, fatalities, and property damage by increasing the numbers of operational certificates issued for pressurized, temperature-controlled boilers and pressure vessels.

DOLI measures the number of warning notices issued for previously uninspected boiler and pressure vessel objects by using data from written reports completed by each Boiler and Pressure Vessel State Inspector.

DOLI also measures the number of operational certificates issued for high pressure, high temperature boilers and pressure vessels by counting the number of acceptable inspection reports that result in a Certificate of Inspection being issued by the Boiler and Pressure Vessel program.

DOLI's second goal is to enhance the development of highly skilled workers for Virginia's economy.

The objective under this goal is to increase the number of apprentices enrolled in Virginia's Registered Apprenticeship Programs.

DOLI measures the number of registered apprentices by tracking the participants in registered apprenticeship programs and recording this information in an Agency-based program database. The numbers are accumulated and reported at the end of each state fiscal year.

DOLI's third goal is to protect children from serious injury or death while employed.

The objective under this goal is to reduce the number of children working in hazardous or unhealthy occupations in Virginia.

DOLI measures the increase in the number of inspections of workplaces that may hire minors.

DOLI's fourth goal is to provide efficient resolution of wage issues.

The objective under this goal is to advance the fair and efficient investigation of wage complaints.

DOLI measures the percentage of wage investigations that are completed within 90 days by entering each wage claim that is accepted for investigation into the Labor Law Database, which records the beginning and closing dates of the investigation. The Agency follows due process requirements which provide for numerous multi-week response times.

DOLI's fifth goal is to provide excellent customer service through the effective performance of DOLI personnel.

DOLI's objective under this goal is to ensure the efficient utilization and management of resources in the performance of the agency mission and in a manner consistent with applicable state and federal requirements.

DOLI uses the measures provided by External Audit/Evaluation Reports and Management Scorecard. The Management Scorecard rates state agency performance in the areas of Human Resources, Government Procurement, Financial Management, IT/Enterprise Architecture Initiatives, Performance Management, and Environmental & Historic Resource Stewardship. There are three possible scores on the Management Scorecard – Meets Expectations; Progress toward Expectations; or Below Expectations. DOLI meets expectations in all areas.

DOLI reports performance of its core business and statutory responsibilities in Virginia Performs. An evaluation audit of measures and performance data found that information was reported timely and accurately. The Agency's success in fulfilling its mission to customers and stakeholders is reported on the Virginia Performs Web site.

- *Summary of current productivity*

DOLI has experienced significant and repeated budget cuts, as well as an enormous decrease in the number of Agency employees. In fact, as funding has plummeted, there has been an ever growing demand for Agency services. Nonetheless, DOLI's hard-working and dedicated employees have maintained high levels of productivity. Over the years, DOLI has expanded services to a continually increasing number of customers, even with far fewer employees and greatly diminished resources. During the strong economic expansion of the 1990's, there was virtually no growth in funding for DOLI's programs. However, the Agency shared in the statewide budget cuts that have occurred during the current decade.

In spite of these challenges, DOLI's employees have continued to promote job opportunities for registered apprentices; reduce worker fatalities and workplace injuries (which lowers costs for both worker's compensation and for lost worker productivity); plan for and encourage both economic development and workplace safety; resolve unpaid wage claims; and decrease the likelihood of boiler explosions by issuing certificates of inspection. We measure our productivity through annual comparative analysis and personnel evaluations. DOLI has increased productivity by using technology developing strategic partnerships; realigning regional boundaries; streamlining processes to achieve prompt service delivery; providing access to Agency program information via the Web setting uniform performance goals; and maintaining an in-house registered apprenticeship program for VOSH inspectors.

DOLI currently has an operational budget of approximately \$13.9 million dollars for each of the 2011 and 2012 budget years, with 183.00 FTEs. DOLI's FTE allocation has declined from 227.00 in 1998 to its current 183.00.

Without more funding, DOLI will face an extreme budget shortfall in the coming biennium and may be unable to maintain its current level of services. DOLI is supported by the general fund, special fund revenues and by federal grant funds. During recent federal fiscal years, large portions of federal funds have been permanently reallocated due to a lack of matching state dollars. In addition, DOLI is required to deposit fines and penalties collected by Agency programs to the state's general fund. Moreover, budget allocations for technology, staff training, and salaries have fallen far behind the pace of rising costs. Funding shortfalls are now so extreme that DOLI cannot pay for mandatory VITA services, invest in new technology or offer staff training. DOLI's current funding is barely enough to pay employee salaries. DOLI needs much more money simply to maintain the current level of services. There is a desperate need for increased state funding to address safety and health staffing levels; and a need for steeply increased funding for technology solutions (especially VITA), as well as a need for funds for other programs which have a strong history of a positive return on investment.

Initiatives, Rankings and Customer Trends

- *Summary of Major Initiatives and Related Progress*

DOLI has major initiatives underway to fulfill the Agency's mandated mission of promoting safe workplaces; addressing shortages in the skilled workforce; protecting children from hazardous employment; fair payment of wage practices; safe operation of boilers and pressure vessels; and, implementing best practices as custodians of public funding. Highlights are:

There have been increases in registered boiler and pressure vessels to record numbers. During state fiscal year 2009, 33,895 Certificates of Inspection were issued by the Boiler and Pressure Vessel program. For each of the last few years, well over 30,000 Certificates of Inspection were issued per year.

The current economy shows a rise in unemployment, which causes a decline in the number of registered apprentices being utilized. However, the goal of the Division is to maintain its customer service level to existing Registered Apprenticeship sponsors and expand its outreach and education efforts to better prepare employers to use Registered Apprenticeship when the economy returns to positive growth. Interest in the program remains high, efforts to replicate the model to other industries has been successful, and career paths developed through Registered Apprenticeship continue to provide stable careers. Data for the end of State Fiscal Year 2009 indicates that there were 13,761 apprentices. Instead of growing by 3% for the year, growth was relatively flat. This is actually a positive statistic in that apprentice numbers did not decline as much as overall employment did in many regions of the state.

The VOSH program continues to promote and recognize new participants in Virginia's Cooperative Safety and Health programs. New sites were added in 2008. As of mid-August 2009, there were 50 Star Sites.

In 2009, a payment of wage initiative, which had already achieved speedier payment resolution for certain selected complaints, was expanded to include all claims received by the Labor and Employment Law Division, reducing the average number of days required to complete an investigation of a wage claim.

Through intense agency efforts to ensure safe worksites, workplace injuries and illnesses in Virginia's high-hazard construction industry have decreased. An emphasis has been placed on reducing fatalities in the construction industry, by focusing on the four leading causes of fatalities: falls, struck-by, crushed-by, and electrocutions/electrical injuries.

DOLI has an ongoing initiative to reduce the number of children working in hazardous occupations. DOLI provides outreach to employers, as well as review and retraining to issuing officers to eliminate the issuance of employment certificates to minors working in hazardous occupations.

The VOSH program's apprenticeship training program for Safety/Health Compliance Officers expanded in 2006 to include Safety/Health Consultants. Since the inception of the program in 2005, VOSH has produced and retained 18 graduates who earned Journey-Level credentials through a combination of course work, on-the-job training and expertise. In addition, the Department of Veterans Services approved these apprenticeships for on-the-job training benefits in the form of a monthly stipend under the Montgomery GI Bill for eligible military veterans.

In 2005, DOLI maintained a 94% rate of worker safety and health complaints in which investigations were initiated within one day or an on-site inspection was conducted within five business days. For 2006 and 2007, the rate increased to 99%, while in 2008, the rate rose to 99.3%. As of mid-August 2009, the rate was 100%.

DOLI expanded outreach opportunities and recruitment to the Hispanic community using public service radio announcements.

DOLI has utilized technology and electronic media to extend program accessibility via the Internet, as well as making on-going enhancements and updates to the Agency website at www.doli.virginia.gov

DOLI's fourteenth annual VOSH Conference, 2009) drew 217 registered attendees.

In 2007, DOLI filmed a public service announcement by Governor Kaine, which was shown on television and on the web.

DOLI has utilized public service announcements on the radio and the web to publicize the dangers of heat related illness.

DOLI's Office of Human Resources (HR Division) is in the process of developing a volunteer program, comprised of individuals who can offer significant contributions to our Agency. The HR Division will assist with volunteer selection and coordination as part of its routine duties.

- *Summary of Virginia's Ranking*

DOLI's 2009 Management Scorecard evaluation received the highest level of attainment for the Agency's administrative programs.

Outstanding Safety Achievement Award for safe driving, presented in 2007.

DOLI received a Certificate of Appreciation from the AARP Foundation for promoting employment opportunities for older persons.

DOLI is recognized by the United States Secretary of Labor as the official apprenticeship agency for federal apprenticeship purposes and serves as the registration agency for apprentices and apprenticeship training programs.

DOLI's Boiler Safety Division has been recognized by the Executive Director of the National Board of Boiler and Pressure Vessel Inspectors for its support of the Virginia Boiler and Pressure Vessel Inspectors Association, a non-profit organization comprised of inspectors, owners, boiler operators and repair companies interested in maintaining

and increasing their knowledge of boilers and pressure vessels.

Section 18 of the federal Occupational Safety and Health Act of 1970 (the Act) encourages States to develop and operate their own job safety and health programs. OSHA approves and monitors State plans. Virginia is one of 26 States and jurisdictions which operates its own State Plan. The ultimate accreditation of a State Plan is called final approval. When OSHA grants final approval to a State Plan under section 18(e) of the Act, it relinquishes its authority to cover occupational safety and health matters covered by the State Plan. Virginia's State Plan was granted final approval on November 30, 1988.

DOLI is a member of the Occupational Safety and Health State Plan Association (OSHPA). OSHPA is an organization of the 26 states and territories that operate their own occupational safety and health programs through grants with the U. S. Department of Labor.

The attorneys who work in DOLI's Office of Legal Services are members of the State OSHA Lawyer Organization (SOLO). SOLO consists of attorneys who work for State and territorial occupational safety and health programs.

- *Summary of Customer Trends and Coverage*

In 2008, VOSH inspections identified 6,332 hazards and 99.3% of occupational safety and health complaints were responded to within one day. As of mid-August 2009, 100% of the 2009 occupational safety and health complaints were responded to within one day.

The manufacturing sector in the Commonwealth has declined.

Unemployment in the Commonwealth varies widely in different locations within Virginia. For example, as of June 2009, Arlington County had a relatively low unemployment rate of 4.7%, while the city of Martinsville had an unemployment rate of 21.6%. The unemployment rate state-wide stood at 6.9% as of July 2009. (These figures are from the Virginia Employment Commission Web site.)

Demand for skilled workers is temporarily reduced from past years, but only as a direct relationship to the overall economy. As construction and manufacturing have been severely impacted by the credit issues due to the financial industry hardships, apprenticeships in those areas have also contracted. However, as the July 24, 2009 Panel Discussion held by the Office of Apprenticeship (U. S. Department of Labor) discusses, 60% of national Registered Apprenticeship growth is currently being projected in high-growth areas outside of construction.

Across all programs, Agency staff are still encountering multi-lingual customers, and non-English speaking customers, even though this trend may no longer be accelerating.

(All Virginia residents are potentially served by DOLI's programs: Occupational Safety and Health, Registered Apprenticeship, Labor and Employment Law, and Boiler and Pressure Vessel programs. We are not able at this time to track total numbers of individual people served.)

Future Direction, Expectations, and Priorities

- *Summary of Future Direction and Expectations*

Until the current biennium, Virginia's economy was expanding. While some areas of Virginia have not seen major economic downturns, other areas have experienced severe hardships, and the state as a whole has suffered during the current crisis. Virginia's unemployment rate as of July 2009 stands at 6.9% (see the web site for the Virginia Employment Commission). Ironically, at the same time, there are rapidly rising numbers of workers in Virginia who are nearing retirement age and far fewer younger workers to replace them. However, given the current state of the economy, it seems likely that a greater proportion of older workers will postpone retirement, which may forestall a labor shortage. Nonetheless, there will probably still be a shortage of workers to fill some available positions, particularly those which require specialized skills. Some jobs will probably be filled by older, possibly retired, persons, who may be working part-time.

Over the last decade, Virginia has experienced rapidly changing demographics, which may continue to engender the creation of new businesses, particularly small businesses. These changing demographics have opened new markets for businesses served by DOLI. While the near future is uncertain, the changing demographics of the last decade affected the workforce and employers in Virginia by greatly increasing the numbers of non-English speaking employees and employers, as well as by serving as a catalyst in the generation of businesses that cater specifically to particular ethnic or national groups

In addition to the factors noted above, technology continues to advance. Advances in technology, especially in light of recent economic turmoil, will engender ever more complex definitions of what it means to "work in Virginia."

DOLI has been struggling to maintain a competitive salary base in comparison to private industry and the federal government, even during the current economic downturn. Employee recruitment and retention will become increasingly challenging because of disparities in pay between the private sector and the public sector and because of the inequity between federal and state salaries for similar types of work. These difficulties are compounded by the fact that key Agency staff are nearing retirement. As a result, training and mentoring will continue to be a priority in DOLI's workforce

planning initiative.

- *Summary of Potential Impediments to Achievement*

DOLI needs bilingual employees, especially employees who speak Spanish. Across all programs, Agency staff are still encountering multi-lingual customers, as well as those who do not speak English or who are not able to read and write English.

We anticipate that customer assistance requests and inquiries may increase due to downturns in the economy. We already respond to many assistance requests and inquiries each week. There may be more of a need for DOLI's services when there is a down-turn in the economy, especially regarding such matters as wage complaints and workplace injuries. In addition, we are receiving more and more inquiries and requests via the Internet. The Agency must have up-to-date information technology to continue to be responsive to these inquiries and requests for assistance.

DOLI must use older technology and/or labor-intensive processes to complete tasks that are part of the Agency's mandated mission. For example, we are required to use outdated software from federal OSHA that must constantly be adapted. In addition, the Agency's technology resources are aging and outmoded. The Labor and Employment Law Division's process for issuing child labor permits is manual and paper-driven. We do not have the resources to replace this system with a more efficient system.

As of mid-August 2009, slightly more than 37 percent of the Agency's workforce had fewer than five years of service. The loss of experienced employees appears to be an accelerating trend. Two years ago 31 percent of the Agency's staff had fewer than five years of service. If this trend continues, the Agency will experience increased spending for recruitment, training and retention of incumbents occupying positions identified as a high risk for turnover. In addition, the limited number of senior-level employees results in a shortage of training mentors, which will cause the few remaining senior-level team members to have a disproportionately increased workload.

As a result of the declining economy and high unemployment rate, DOLI has, in recent months, received many more applications for each position than in the past. Careful selection of prospective applicants has become a much more time-consuming task due to the sheer volume of applications received. The Agency's selection process is also complicated by the continuing statewide salary compression, which obstructs DOLI's ability to make competitive offers to job candidates. Many positions within DOLI are held by professionals with very marketable and sought-after skills. Private business entities and federal agencies often compete with DOLI for these employees. Unfortunately, funding constraints negatively impact the hiring and retention of quality applicants.

Retirement of qualified employees is also a concern, especially for the VOSH program, which is beginning to undergo significant employee turnover as greater numbers of experienced staff, "baby boomers," retire and a smaller pool of younger, qualified workers is available to fill vacant positions. As of mid-August 2009, the median age of DOLI employees was 51, a full year older than in August of 2007. In August of 2007, 29.34% of employees were age 50 and over, and DOLI's oldest employee was 76. By mid-August of 2009, the percentage of Agency employees over age 50 had increased to 58%, with the oldest employee being age 68. In 2009, 15 employees became eligible for unreduced retirement benefits. Thirty-four (34) employees will be eligible for unreduced retirement benefits over the next five years, with the highest concentrations occurring in the Professional, Para-Professional and the Office/Clerical Occupational Categories. As a result, the Agency can anticipate a need for increased spending for recruitment, training, and retention of employees hired to fill the positions left vacant by the retirees as well as a decrease in the number of training mentors.

Service Area List

Service Number	Title
181 534 09	Apprenticeship Program
181 552 06	Labor Law Services
181 555 01	Virginia Occupational Safety and Health Services
181 555 02	Asbestos and Lead Safety Services
181 562 01	Boiler and Pressure Vessel Safety Services
181 599 00	Administrative and Support Services

Agency Background Information

Statutory Authority

The Code of Virginia, Chapter 1 of Title 40.1, provides for the establishment of the Department of Labor and Industry and establishes the authority of the Commissioner.

- The Code of Virginia, Chapter 1 of Title 40.1, at subsection 5 of §40.1-6, authorizes the Commissioner "to appoint such representatives as may be necessary to aid him in his work; their duties shall be prescribed by the Commissioner."

- The Code of Virginia, Chapter 3 of Title 40.1, provides for the protection of employees. This chapter includes Virginia's Minimum Wage Act (§§40.1-28.8 to 40.1-28.12), Payment of Wages (§40.1-29), Equal Pay Irrespective of Sex (§40.1-28.6), Preventing Employment by Others of Former Employees (§40.1-27), Discharge of Employee for Absence Due to Work-Related Injury Prohibited (§40.1-27.1), Unlawful to Require Payment for Medical Examination as Condition of Employment (§40.1-28), Prohibition of Use of Certain Questions on Polygraph Tests for Employment (§40.1-51.4:3), and Prohibition of Use of Polygraphs in Certain Employment Situations (§40.1-51.4:4).
- The Code of Virginia, Chapter 3.1 of Title 40.1, known as the Boiler and Pressure Vessel Safety Act, establishes the minimum requirements for the construction, installation, maintenance and inspection of boiler and pressure vessels. It also provides for the certification of boiler inspectors, owner/user inspection agencies and private contract fee inspectors.
- The Code of Virginia, Chapter 3.2 of Title 40.1 (§§40.1-51.20 through 40.1-51.22), establishes the Asbestos and Lead Notification Program as part of a larger program requiring licensing and certification of asbestos and lead contractors and workers by the Department of Professional and Occupational Regulation (DPOR) (§§54.1-500 through 54.1-517). The statute requires issuance of permits for removal contractors and inspection of each removal, installation or encapsulation project.
- The Code of Virginia, Chapter 3.3 of Title 40.1 (§§40.1-51.23 through 40.1-51.41), known as the Virginia Asbestos NESHAP Act, establishes the requirements for asbestos contractors to protect the general public and the environment from asbestos emissions during renovation and demolition activities.
- The Code of Virginia, Chapter 4 of Title 40.1, governs various aspects of employment, including certain actions of labor unions (§§40.1-52 to 40.1-54.2), denial or abridgement of right to work (§§40.1-58 to 40.1-69), and mediation and conciliation of labor disputes (§§40.1-70 to 40.1-75).
- The Code of Virginia, Chapter 5 of Title 40.1, governs all aspects of child labor. It establishes the minimum age for children to work in certain occupations, the hours of work for children, and the conditions of employment of children on farms, in gardens, and in orchards.
- Chapter 6 of Title 40.1 of the Virginia Code, known as the Voluntary Apprenticeship Act, provides the minimum requirements for apprenticeship programs. Section 40.1-125 of the Code of Virginia requires the Commissioner of Labor and Industry, with the advice and guidance of the Apprenticeship Council, to administer the provisions of the Voluntary Apprenticeship Act. Responsibility for implementing and administering voluntary apprenticeship in Virginia has been delegated by the U.S. Department of Labor (USDOL) Office of Apprenticeship to the state. The USDOL regulation, 29 CFR Part 29, "Apprenticeship Programs, Labor Standards for Registration, Amendment of Regulations; Final Rule" names the state program as the State Apprenticeship Agency. The definition is "an agency of a State government that has responsibility and accountability for apprenticeship with the State."
- The Virginia Apprenticeship Council is recognized as the regulatory and policy board for the program by the Code of Virginia, at §§40.1-117 to 40.1-118. The Council is authorized to promulgate regulations to govern apprenticeship agreements and deregistration procedures, and to establish standards.
- The Code of Virginia, at §§40.1-119 through 40.1-126, provides the foundation for the development of apprenticeship programs and sponsors in the Commonwealth. The apprenticeship program within DOLI implements the regulations established by the Council.
- 29 USC § 50, known as the Fitzgerald Act, is the federal statute which authorizes the U. S. Secretary of Labor to formulate and promote labor standards to safeguard the welfare of apprentices and to cooperate with the States in the promotion of such standards.
- The Code of Virginia, at §40.1-22 through 40.1-51.4:5, authorizes the Virginia Occupational Safety and Health (VOSH) Program. The Virginia Safety and Health Codes Board is established by the Code of Virginia, at §40.1-22, as the regulatory and policy board for the Virginia Occupational Safety and Health Program, the Asbestos and Lead Notification Safety Program, and the Boiler and Pressure Vessel Safety Program. The Board is authorized to establish regulations governing occupational safety and health, the asbestos and lead safety program, and the construction, installation, maintenance, and inspection of boiler and pressure vessels.
- The responsibilities of the Virginia Occupational Safety and Health (VOSH) Program are provided in the Code of Virginia, at §§40.1-1, 40.1-2, 40.1-3, 40.1-6, and §§40.1-49.3 through 40.1-51.4:2. Although Virginia is not mandated by Federal law or regulation to have an occupational safety and health program, responsibility in Virginia has been delegated by the U. S. Department of Labor (USDOL) Occupational Safety and Health Administration (OSHA) to the state through final approval of the Virginia State Plan.
- The Code of Virginia, at §15.2-910, provides that a local government may adopt an ordinance requiring boiler operators to obtain a certificate from the local governing body. This section directs the Safety and Health Codes Board to establish standards to be used in determining an applicant's ability, proficiency, and qualifications.
- The Code of Virginia, §§59.1-406 through 59.1-414, known as the Overhead High Voltage Line Safety Act, promotes the safety and protection of a person or persons engaged in work or activity in the vicinity of overhead high voltage lines.
- The federal Occupational Safety and Health Act of 1970 requires federal OSHA to enforce its regulations throughout the country, except in states that apply for and receive approval of a State Plan for occupational safety and health. Virginia received its approval as a State Plan state in 1988. The requirements for a State Plan are found in Section 18 of the federal

Occupational Safety and Health Act of 1970 and in federal regulation 29 CFR 1902, entitled “State Plans for the Development and Enforcement of State Standards.”

• Section 18(c)(7) of the Occupational Safety and Health Act of 1970, and federal regulation 29 CFR 1902.3(k), requires states implementing their own occupational safety and health program to ensure that employers covered by the program will maintain records and make reports to the USDOL’s Assistant Secretary for Occupational Safety and Health containing statistical information pertaining to work related deaths, injuries and illnesses. This law and regulation authorize Virginia to conduct the “Annual Survey of Occupational Injuries and Illnesses” and the “Census of Fatal Occupational Injuries.”

Customers

Customer Group	Customers served annually	Potential customers annually
Agency Vendors	144	160,000
Apprentices	12,299	13,037
Asbestos and Lead Abatement Contractors	320	320
Asbestos and Lead Abatement Workers	3,501	3,501
Attorneys	2,300	26,278
Employees	3,598,669	3,598,669
Employer Sponsors	2,056	2,179
Employers	209,903	209,903
Governmental Entities	465	465
Inspection Companies	23	27
Issuing Officers	1,500	1,500
Labor Organizations	75	75
Minors working in Virginia	15,000	484,000
News Organizations	2,600	2,600
Non-English Speaking Media Organizations	1	10
Owners/Users of boilers and pressure vessels	25,000	40,000
Parents	15,000	484,000
Potential Vendors and SWAM Contacts	38	38
Public	0	0
Related Instruction Coordinators	16	16
Safety and Health Codes Board	1	1
Virginia Apprenticeship Council	1	1
Volunteer Organizations	1	1

Anticipated Changes To Agency Customer Base Business Operations and the Changing Workplace

In the fourth quarter of calendar year 2008, there were 228,726 employers in Virginia (Virginia Employment Commission, Quarterly Census of Employment and Wages, 4th Quarter, October, November, and December 2008).

Some sectors of Virginia’s economy will probably employ more workers while others will employ fewer. For example, in 2004, construction employed 231,075 workers. In 2006, construction employed 249,352 workers. It is estimated that by 2016, construction will employ 275,127 workers. (Virginia Employment Commission, Industry and Occupational Projections 2004-2014 and Industry and Occupational Projections 2006-2016.)

Technology will make many jobs more efficient, so that fewer workers are needed in to produce the same amount of goods or products as in the past. Thus, we expect worker productivity to increase. The foreseeable result of such improved technology would be fewer workers in some occupations, as well as an increase in mechanization, with a possible concurrent need for new occupational safety and health standards. As a corollary development, new types of jobs and new occupations will be created.

We anticipate that the aging of the baby boomer generation will have a major impact on the workforce. Some states face the prospect of more than 40% of state and local workers reaching retirement age in between 2011 and 2016. (Governing Magazine, September 2006)

DOLI anticipates that employers will be seeking ever more efficient work processes to lower costs. We expect participation in our Voluntary Protection Program (VPP) and Safety and Health Achievement Recognition Program (SHARP) to continue to increase, both in the private sector and in the public sector. Safer workplaces reduce injury rates and fatalities, as well as the number of violations per inspection, while simultaneously reducing reliance on VOSH inspection activities. Safer workplaces also save money for employers.

We expect that the economy will continue affect our work. Until relatively recently, Virginia had experienced growth in numbers of both employees and business establishments. For 2008, Virginia had an estimated employment of 3,983,514 workers, but the estimated number of employees for 2010 is 3,928,517 (See the Virginia Employment Commission Web site.). The current weak economy has left many workers unemployed. The unemployment rate dipped slightly nationwide in July to 9.4%, but staff of the Federal Reserve estimate that the rate may well exceed 10% by the end of 2009 ("Fed Gathers to Take U.S. Economy's Pulse, MSNBC.com and The Associated Press, August 11, 2009). During the week of August 20, 2009, new claims for unemployment insurance rose to a seasonally adjusted figure of 576,000, while the number of people continuing to receive unemployment benefits fell by 2,000 to 6.24 million ("New Jobless Claims Jump to 576K," CBSNews online, August 20, 2009). However, falling number of recipients of unemployment assistance may simply be still unemployed persons who have reached the end of their benefits. Furthermore, the downturn in the housing sector had changed business trends even two years ago. ("Home Sales, Prices Continue to Fall," MSNBC.com, September 25, 2007) The present economic slowdown has probably caused businesses to economize. We expect that some businesses may attempt to cut corners by providing fewer protections for worker safety and health. Business startups and failures tend to increase the number of inquiries that DOLI receives, as well as increasing service demands in areas involving occupational safety and health, and payment of wage claims.

We anticipate that DOLI's Boiler and Pressure Vessel Division will continue to improve operational efficiencies, so that more boilers and pressure vessels will be inspected.

The Changing Demographics of Virginia's Workers

The changing workforce will affect our service delivery. Until the recent economic downturn, Virginia had rising numbers of non-English speaking workers. Trends which may accelerate in the poor economy include workers changing careers due to layoffs or factory closures, fluctuations in unemployment rates, more older workers, and fewer younger workers who are employed full-time in one job. Overall, Virginia's population demographics have changed dramatically in the last decade. In 2000, Virginia's total population was 7,078,515, with the largest age groups those 35-39 (610,810) and 40-44 (589,880). Virginia's projected total population for 2010 is 8,010,239, with the most numerous age groups for females those 45-49 (315,223), and 50-54 (304,542), and for males those 20-24 (311,857) and 45-49 (302,444). (See the Virginia Employment Commission Web site.)

In 2000, foreign-born persons in Virginia were 8.1% of the population. (U. S. Census Bureau) By 2005, 10% of the state's residents were foreign-born. Since 1990, Asian and Hispanic populations have increased significantly, from about 2.6% of the population for each of these populations to almost 5% for the Asian population and almost 6% for the Hispanic population. ("Demographic Profile of Virginia," prepared for the Council on Virginia's Future, presented October 20, 2006, pp. 8 and 22) In some Virginia localities, demographics have changed more than in others. For example, the Hispanic population of Prince William County in 2006 was almost 70,000, more than twice what it was in 2000. Non-Hispanic whites were about two thirds of the county's population in 2000, but only a little more than one half in 2006. ("Whites a minority in 1 in 10 counties," MSNBC.com 8/9/07, quoting the U. S. Census Bureau) The U.S. Census Bureau has estimated that by 2025 Virginia's population will be 64.7 % white, 22.8 % African American, 6.4% Hispanic, 5.9% Asian and Pacific Islander, and .2% Non-Hispanic American Indian, Eskimo and Aleut. (See the web site of the U.S. Census Bureau.)

There has been a national trend in recent decades for employers to misclassify employees as either managers or independent contractors who are ineligible for overtime pay, while some employers have required workers to complete work tasks off-the-clock without pay, as a way of avoiding paying employees for overtime. In the last decade, there has been a proliferation of federal cases challenging these practices, with a number of rulings in favor of employees. ("More workers Suing Over Overtime Pay," MSNBC.com, Business Week, September 24, 2007.) The rulings in these cases will be felt in Virginia, and could result in more payment of wage claims for our Labor and Employment Law Division.

In recent years, there have been increasingly frequent news reports about human trafficking victims and other undocumented workers. The protections offered by Virginia's laws and regulations governing labor and employment, as well as occupational safety and health, extend to victims of human trafficking and undocumented workers. Trafficked persons, and some illegal immigrants, are frequently not paid for work they have done and may be forced to work in hazardous conditions that violate occupational safety and health laws and regulations. Trafficked minors may be forced to work in hazardous occupations from which they are barred by labor law statutes and regulations. It is important to provide these legal protections, even though there are laws to punish the criminal acts of human traffickers and even though undocumented immigrants are not in the U.S. legally. There have been instances within the United States of human traffickers who have enslaved their victims before being brought to justice by the authorities. Although this is not a common occurrence in Virginia, it could happen here. Anyone who becomes a victim of slavery in Virginia would be entitled to receive wages owed for work done.

General Public

We anticipate that we will continue to provide for the public safety by overseeing the inspection of boiler and pressure vessel devices. For state fiscal year 2009, 33,895 inspection reports resulted in a Certificate of Inspection being issued by the Boiler and Pressure Vessel Program. Also, for state fiscal year 2009, 330 warning notices were issued for previously uninspected boiler and pressure vessel objects. We expect that there will be a continuing need for inspection and

certification of boilers and pressure vessels.

Registered Apprenticeship will continue to enhance Virginia’s economy. Registered Apprenticeship will also continue to protect the safety of the general public through training of apprentices, for example, in training apprentice electricians in proper installations and repairs. Nationally, specialty trade contractors represent a high level of injury and illness cases; Registered Apprenticeship promotes safety resulting in a safer workforce and safer delivery of services to businesses and residences of the Commonwealth.

DOLI will continue to disseminate information via the Agency website as customers demand more access to program information and compliance guidelines.

We expect the general public customer base to increase. Virginia will continue to need skilled workers. Minors will need protection from hazardous employment. More boilers and pressure vessels will require certification. We anticipate that we may see growing numbers of occupational injuries and illnesses as, inexperienced workers join the labor force , and as other workers change occupations. Business startups and failures may increase service demands in areas involving labor and employment law, such as payment of wage claims.

Other Governmental Agencies

In recent General Assembly sessions, a number of bills have dealt with (1) victims of human trafficking, and (2) illegal or undocumented immigrants. Some of these bills contained mandated requirements for DOLI. Based on past trends, it appears possible that more bills on these topics will be introduced in the future.

Small, women, and minority owned (SWAM) owned vendor participation will probably increase as there is greater utilization of SWAM businesses.

Homeland security issues and concerns will impact safe workplace issues and other labor and employment concerns.

Partners

Partner	Description
[None entered]	

Products and Services

- *Description of the Agency's Products and/or Services:*
APPRENTICESHIP PROGRAM

Offering Career Choice Options - Promotion of Registered Apprenticeship as an effective way to train a skilled workforce. Providing assistance to employers interested in training a skilled workforce through Registered Apprenticeship.

Registered Apprenticeship Agreements - Reviewing and approving apprenticeship agreements. Maintaining and documenting apprenticeship agreements. Terminating or canceling apprenticeship agreements when appropriate.

Certificates - Monitoring apprenticeship progress and issuing Certificates of Completion of Registered Apprenticeship.

Sponsor Evaluations - Conducting Sponsor Program Evaluations pursuant to procedures and criteria established by the Virginia Apprenticeship Council.

EEO Reviews - Conducting Equal Employment Compliance Reviews under the authority of the Commonwealth of Virginia Voluntary Apprenticeship Act.

LABOR LAW SERVICES

Inspection and Enforcement - Thorough and consistent inspection and enforcement of the laws and regulations governing child labor. Assessing corporate or individual responsibility as appropriate. Investigating complaints of violations of statutes that govern child labor, payment of wage, minimum wage and other labor and employment matters, as provided for by §40.1 of the Code of Virginia.

Permitting - Training, assisting and providing oversight to officials of local schools who issue permits for 14 and 15 year olds who are to be employed. Providing supplies to issuing officers. Issuing theatrical and solicitation permits for minors.

Hearings and Conferences - Initiating informal conferences to settle disputes between employers and employees regarding wages. Planning, setting and providing notice of administrative hearings in payment of wage cases. Referring cases to the Office of the Attorney General (OAG) for litigation.

VIRGINIA OCCUPATIONAL SAFETY AND HEALTH SERVICES

Inspection and Enforcement - Consistent application of occupational safety and health laws and regulations through

effective and efficient enforcement inspections of work-related accidents, fatalities, imminent danger situations, employee complaints, referrals from other government agencies and planned inspections in general industry, construction and agriculture in both the public and private sectors, with the exception of employers in federal enclaves or those covered by federal agencies under § 4(b)(1) of the OSH Act of 1970, and assuring compliance with the Virginia Overhead High Voltage Line Safety Act.

Consultation, outreach, and compliance assistance services - Safety and health consultation to private and public sector employers with priority given to high hazard companies with 250 or fewer employees. Recognition of qualified high hazard companies with 250 employees or less as SHARP (Safety and Health Achievement Recognition Program) sites. Operation of the Voluntary Protection Program (VPP) to recognize and promote effective occupational safety and health management. Recognition of qualified companies as STAR and MERIT work-sites under the VPP program. Customer services, such as providing training/technical assistance to employers and employees, and coordinating the annual Virginia Occupational Safety and Health Conference regularly attended by many safety and health professionals, employers and employees.

Regulatory development - Regulatory development to establish minimum occupational safety and health requirements for employees and employers and providing staff support to the Virginia Safety and Health Codes Board.

Data collection - Conducting the Annual Survey of Occupational Injuries and Illnesses and the Census of Fatal Occupational Injuries (CFOI) under cooperative agreements with the US Bureau of Labor Statistics.

Legal Support - Under the guidance and direction of the Office of the Attorney General, legal support is provided to the VOSH compliance divisions in the following areas: obtaining settlement of or litigating VOSH contested cases that cannot be settled at the Regional Office level; pre-citation review of significant cases (primarily fatality, willful and criminal cases); obtaining warrants when an employer denies a VOSH compliance officer access to work sites; handling subpoenas for Department personnel and records; and processing Freedom of Information Act (FOIA) requests.

ASBESTOS AND LEAD SAFETY SERVICES

Customer service by providing technical assistance.

Issuance of asbestos and lead project permits to abatement contractors.

Conducting an on-site unannounced inspection as funding permits of each asbestos and lead removal contractor at least once a year.

Assurance of contractor adherence to the National Emission Standard for Hazardous Air Pollutants (NESHAP) to protect the general public and the environment from asbestos emissions during renovation and demolition activities.

Assurance of safe work practices during installation, removal, and encapsulation of asbestos and lead.

Regulatory development to establish minimum requirements for worker and public safety during installation, removal, and encapsulation of asbestos and lead.

Economic development support through helping ensure older buildings can be safely rehabilitated by the removal of asbestos and lead.

BOILER AND PRESSURE VESSEL SAFETY SERVICES

Customer assistance - State Boiler Inspectors obtain lists of companies and organizations in focused areas of apartment buildings and automobile related services and make compliance visits to initially educate the owners/users about Virginia laws regarding boilers and pressure vessels. Boiler staff assist customers in maintaining current Certificates, finding Inspectors, and otherwise maintaining safe boilers and pressure vessels in compliance with regulatory requirements.

Inspection and enforcement - Thorough and consistent inspection and enforcement of laws and regulations regarding the construction, installation, operation, and repair of boilers and pressure vessels. Assessing hazards and unsafe conditions and assuring timely corrective actions. Investigation of accidents and complaints. Civil penalty assessment. Inspection, enforcement and services staff assist customers in maintaining safe boilers and pressure vessels in compliance with regulatory requirements.

Certification - Certification of persons performing inspections of boilers and pressure vessels. Inspector certification services assure persons performing specialized tasks are qualified and maintain high standards of technical competency. Certification of boilers and pressure vessels at an established frequency assure that they are safe to operate and are in compliance with laws and regulations.

ADMINISTRATIVE AND SUPPORT SERVICES

Executive Management, Control, and Oversight.

Planning and Resource Allocation

Legislative Liaison

Internal Risk Management and Mitigation

Supply Chain Management

Information and Technology Management

Human Resource Management

Financial Management

Administrative Management

Regulatory Development

Public Affairs

Revenue Collections

- *Factors Impacting Agency Products and/or Services:*

APPRENTICESHIP PROGRAM

Demand for skilled workers, mentored employees and those trained in specific vocational trades are always desired in order to have the most productive employees in the workforce. The recession has created an overabundance of employees in general; however, some are finding the way to new occupations through retraining. Registered Apprenticeship will be an appropriate model to pursue retraining for those having to learn new skills or trades in order to gain employment. The use of the model of registered apprenticeship continues to grow despite the current economic downturn.

LABOR LAW SERVICES

DOLI anticipates that the number of non-English speaking employees and employers will continue to be significant, necessitating the use of interpreters or the training of DOLI staff to speak other languages, particularly Spanish.

At present, many small business owners contact DOLI's Labor and Employment Law Division seeking guidance concerning labor and employment law issues, which are often lengthy and complex. We anticipate that the numbers of these inquiries will increase, and that, as technology continues to advance, more inquiries will be received via the Internet.

DOLI anticipates a continuing need to provide high-quality training for the officials of local schools who issue permits for 14 and 15 year olds who are to be employed.

DOLI anticipates that the aging agency workforce and rising incomes in the private sector will make it more and more difficult to recruit and retain the highly skilled employees who are needed to staff the Labor and Employment Law Division.

VIRGINIA OCCUPATIONAL SAFETY AND HEALTH SERVICES

Full automation of the Virginia Courts Case Information System, which enables the Office of Legal Services (OLS) to check online the status of VOSH cases in litigation in the Circuit Courts of Virginia, will enhance OLS's ability to assure that litigation is initiated for VOSH contested cases within the Department's stated goal of one year from the opening date (several major local jurisdictions such as Fairfax County have not yet been added to the online system).

Changes in information technology systems at the federal level.

DOLI's funding for occupational safety and health is tied to the federal appropriations process.

Increasing globalization and evolving technologies, combined with a growing number of non-English speaking customers, will necessitate enhancements and modifications to products and services.

Judicial decisions impact VOSH program operations, as well as continued State Plan status.

Litigation of contested VOSH cases occurs at the local level in Virginia's court system.

ASBESTOS AND LEAD SAFETY SERVICES

The number of asbestos and lead abatement notifications received.

BOILER AND PRESSURE VESSEL SAFETY SERVICES

The implementation of the Code of Virginia statute that allows State Inspectors to perform limited inspections of boilers and pressure vessels that are 91 days past due.

Continued growth of inspection companies reporting inspections electronically.

More customers that are less fluent in English will impact the delivery of services.

ADMINISTRATIVE AND SUPPORT SERVICES

In recent years, DOLI staff have noted a marked increase in the number of non-English speaking customers, both employers and employees. Additionally many employees and employers in Virginia may speak some English but are not proficient in reading English. DOLI has made an effort to hire staff who can speak other languages and has also printed many of the informational posters and brochures in Spanish. There is a need to expand this effort to other languages.

DOLI will be confronted with increasing staff turnover rates as senior staff members reach retirement age. Noncompetitive salaries and inadequate resources for staff training/development programs contribute to low staff retention and decreased productivity.

State and Agency technology resources are aging, and, in many cases, obsolete. Current IT transformation initiatives include an IT infrastructure outsourcing contract and an enterprise application track for central state accounting, budgeting, human resources, procurement, and other enterprise programs such as permitting and licensing.

Maintenance and continued utilization of OSHA's Integrated Management Information Systems (IMIS) and Compliance Safety and Health Officer (CSHO) IT systems and technology are contingent upon federal funding and support at both state and federal levels.

Central Agency requirements will continue to impact Agency IT systems and agency processing procedures.

Additional state requirements are being implemented related to a more structured approach governing agency internal control responsibilities. This will involve new administrative policies and procedures, agency risk assessment tools, agency internal control checklists and questionnaires, and mandatory training programs. Also, the central Agency review process will be revised to review Agency internal control performance measures.

- *Anticipated Changes in Products or Services:*

APPRENTICESHIP PROGRAM

Demand for skilled workers, mentored employees and those trained in specific vocational trades are always desired in order to have the most productive employees in the workforce. The recession has created an overabundance of employees in general; however, some are finding the way to new occupations through retraining. Registered Apprenticeship will be an appropriate model to pursue retraining for those having to learn new skills or trades in order to gain employment. The use of the model of registered apprenticeship continues to grow despite the current economic downturn.

LABOR LAW SERVICES

DOLI anticipates that adaptations will be made to accommodate non-English speaking employees and employers. It is probable that interpreter services will be used and at least some DOLI staff will need to learn to speak other languages, particularly Spanish. It may be necessary for the Agency to search more aggressively for bilingual employees.

At present, many small business owners contact DOLI's Labor and Employment Law Division seeking guidance concerning labor and employment law issues, which are often lengthy and complex. We anticipate that the numbers of these inquiries will increase.

DOLI anticipates that, as technology continues to advance, more inquiries will be received via the Internet and the Division will require technological enhancements to keep pace.

DOLI anticipates a continuing need to provide high-quality training for the officials of local schools who issue employment certificates for 14 and 15 year olds who are to be employed.

DOLI anticipates that an aging public workforce may make it more and more difficult to recruit and retain the highly skilled employees who are needed to staff the Labor and Employment Law Division. More funds are needed for

salaries.

VIRGINIA OCCUPATIONAL SAFETY AND HEALTH SERVICES

DOLI anticipates that strategies will be developed to provide services to a changing workforce. We will continue to use the services of foreign language interpreters and train some staff to speak non-English languages (especially Spanish). We expect to deliver services to a workforce that is diverse in terms of age, gender, race, and nationality. We anticipate providing services to a smaller percentage of workers employed in large fixed industries, and to a higher percentage of workers employed in small firms, temporary jobs, or at home. We further expect to adapt our services to assist employees whose work is contracted, outsourced, and part time. We anticipate that these trends will continue over the next several decades. We will need to develop different strategies to address these and other developing issues.

In terms of workforce demographics, we can expect to see a greater percentage of youth and older workers in the workforce. According to several sources on labor force trends, in the next decade, the youth population, ages 16 to 24, is expected to increase as a share of the workforce, the 25 to 54 age group is expected to decline, and the 55 and over age group will experience the most growth. According to the National Institute on Occupational Safety and Health (NIOSH), 80% of young people are employed at some point before they leave school. In addition, as the demand for skilled, experienced workers grows in the next two decades, older workers will become an increasingly vital labor resource. These demographic shifts influence occupational injury rates and, therefore, raise issues for VOSH's program strategies. For example, despite child labor laws that prohibit teens from engaging in the most dangerous occupations, they have a higher rate of injury per hour than adults. Older workers, on the other hand, have lower injury and illness rates than the labor force as a whole, although injured older workers generally take longer to return to work.

ASBESTOS AND LEAD SERVICES

DOLI anticipates that strategies will be developed to provide services to a changing workforce. We anticipate using the services of foreign language interpreters and training some staff to speak non-English languages (especially Spanish). We also anticipate a need to develop outreach services for immigrant workers employed in the asbestos and lead abatement industry who are often less than English literate and unable to read English instructions.

BOILER AND PRESSURE VESSEL SAFETY SERVICES

Customer assistance requests are expected to increase as the economy continues to grow, our educational efforts succeed, and partnerships expand.

State Inspectors performing inspections of boilers and pressure vessels 91 days past due will result in an increase of certificates issued and a reduction of overdue inspections.

The number of inspection companies reporting inspections electronically is 20%. Any further increase of inspection companies utilizing electronic reporting will improve both efficiency and response time.

The number of owners/users of boilers and pressure vessels speaking principally Korean or Spanish is increasing, especially in the area of small businesses. Response time will adversely increase as a result of communication challenges.

ADMINISTRATIVE AND SUPPORT SERVICES

Efforts and resources will be directed to addressing service issues to non-English speaking customers. Human Resource efforts will intensify to support recruitment, training and retention of professional program staff. Staff will continue to identify, research, and implement best practices when feasible.

Finance

● *Financial Overview:*

The Department of Labor and Industry's funding comes from State General Fund Appropriation (57%), Federal Funds from the U.S. Department of Labor (35%), and Special Revenue Funds (8%) from various sources including Indirect Cost Recoveries, Asbestos Project Permit Fees, Consultation Grant Agreement Matching Funds, and Registration fees for the Annual Virginia Safety and Health Conference. DOLI's programs contribute significant revenues to the state that offset program costs. For fiscal year (FY) 2008, DOLI's revenues represented 62% of annual agency expenditures. (FY2008 Total Revenues \$8,640,688, Total Expenditures \$13,944,050 (62%)). These revenues, which are deposited to the state treasury, are a combination of fees collected in the Boiler and Asbestos programs, federal grants, and penalties collected by DOLI's VOSH and Labor and Employment Law Divisions.

● *Financial Breakdown:*

	FY 2011		FY 2012	
	General Fund	Nongeneral Fund	General Fund	Nongeneral Fund
Base Budget	\$8,159,533	\$6,011,682	\$8,159,533	\$6,011,682
Change To Base	-\$172,787	\$0	-\$172,787	\$0

Agency Total	\$7,986,746	\$6,011,682	\$7,986,746	\$6,011,682
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This financial summary is computed from information entered in the service area plans.

Human Resources

- *Overview*

As of mid-August 2009, the Department of Labor and Industry (DOLI) had an authorized FTE level of 183 positions located state-wide in four regional offices (Roanoke, Richmond, Norfolk and Manassas), four field offices (Lynchburg, Winchester, Verona and Abingdon), and a headquarters located in the Capitol-area of Richmond. Due to the current state budget projections, recruitment of selected vacant positions is deferred. Headquarters staff includes the logistical and program support areas such as Office of the Commissioner, Finance, Procurement, Human Resources, General Services, Legal Services, as well as Division-level management for the major service areas: Labor and Employment Law, Registered Apprenticeship, Boiler and Pressure Vessel Safety, Asbestos and Lead Services, and Occupation Safety and Health.

- *Human Resource Levels*

Effective Date	9/1/2009	
Total Authorized Position level	183	
Vacant Positions	-25	
Current Employment Level	158.0	
Non-Classified (Filled)	1	<i>breakout of Current Employment Level</i>
Full-Time Classified (Filled)	157	
Part-Time Classified (Filled)	0	
Faculty (Filled)	0	
Wage	13	
Contract Employees	0	
Total Human Resource Level	171.0	<i>= Current Employment Level + Wage and Contract Employees</i>

- *Factors Impacting HR*

Recruitment, Selection, And Retention.

In recent years, DOLI has felt the impact of severe and continuing budget cuts. There have been significant increases in the numbers of applications for advertised positions. The applicant pool has included people who are overqualified, as well as those who are under-qualified. As a result, screening has become increasingly time-consuming. As of August 19, 2009, the Agency had received 1,754 applications for 31 positions. By comparison, 737 applications were received for 31 recruitments in 2006. During 2007, 858 applications were received for 27 recruitments, and, in 2008, 309 applications were submitted for 11 recruitments. Employee recruitment and retention has been further complicated by ongoing statewide salary compression, which has had an adverse influence on the Agency's ability to make competitive job offers. Many of DOLI's positions require specialized skills that are highly marketable and much in demand. DOLI often faces stiff competition for qualified staff from the private sector and the federal government.

Training And Career Development.

Despite the fact that quality applicants are recruited and hired, funding shortfalls have interfered with training, thus negatively impacting the Agency's ability to train new employees and upgrade the skills of current staff.

Loss Of Institutional Knowledge And Expertise Due To Aging Workforce.

The average age of DOLI's workforce is rising. In 2007, the median age of DOLI employees was 50, and 29.34% of employees were age 50 or over. The oldest employee was 76. In 2009, the median age of DOLI employees is 51, with 58% of employees age 50 and over, up to age 68. For the calendar year 2009, 15 employees are eligible for unreduced benefits. A total of 34 employees will be eligible for unreduced retirement benefits over the next five years, with the highest concentrations occurring in the professional, paraprofessional, and the office/clerical occupational categories. To illustrate the impact of this loss, three of the most experienced members in our VOSH Compliance Division have retired since January 1, 2009, with an additional member planning to retire in October 2009, and ten more employees in the VOSH Division eligible for retirement over the next five years. Total upcoming retirement eligibilities equate to approximately 22% of Agency staff. As more and more of DOLI's most qualified workers contemplate retirement, this raises a significant concern since their departure could result in a loss of institutional knowledge and expertise, leaving vacancies to be filled by possibly less experienced workers. As a result, the Agency can anticipate a need for increased spending for recruitment, training, and retention of employees, as well as a decrease in the number of training mentors.

Need For Workers With Bi-Lingual Skills.

Because Virginia has a diverse workforce, DOLI needs employees who are fluent in more than one language. DOLI strives to meet this need by including a preference for Spanish fluency in all job announcements.

- *Anticipated HR Changes*

Recruitment, Selection, And Retention.

DOLI will continue to refine advertising and marketing campaigns to attract qualified candidates based on such values as meaningful work, work/life balance, alternative work schedules, and positive work environment, etc. Outreach efforts will be expanded. In addition, DOLI has implemented a number of in-house retention strategies to recognize and reward top-performing employees.

Succession Planning And Training And Career Development.

During the next five years, approximately 22% of DOLI's current workforce will be eligible for full retirement. As a result, DOLI will need to plan with great foresight to avoid a detrimental loss of institutional knowledge and expertise. The Agency will use mentoring programs and on-line training to maintain this institutional knowledge and expertise.

Going Green.

In recent months, DOLI has achieved 100% usage of the EmployeeDirect System during open enrollment. EmployeeDirect is an online self-service portal that allows employees secure access to their individual health benefits plans and personal profiles. This 100% employee usage significantly reduced the processing of paper forms, and reduced costs associated with processing health benefits. Efforts to save funds for the Commonwealth through this paperless system will be ongoing in the coming year.

Information Technology

- *Current Operational IT Investments:*

DOLI programs and administration are supported by customized business applications. Each application provides Agency programs business functionality to comply with statutory responsibilities and best management practices.

DOLI employs three Federal applications. Two of these are aging Federal OSHA systems to support our VOSH program. Both have hardware and software that are obsolete and the functionality of these applications do not conform to more recent best practices for efficiency. The third application is a PC based application that supports VOSH record-keeping and tracking.

Support of Federal applications at a national level is declining.

DOLI continues to experience funding issues associated with affordable hardware and infrastructure issues.

DOLI state program applications are deployed in a client-server environment.

Each state program software application is deployed with the most current version of the vendor software for the client-server environment.

DOLI has one web-based application that is supported by a third party vendor.

- DOLI provides ready access to Agency programmatic information via the DOLI website.

- *Factors Impacting the Current IT:*

DOLI customers are expecting to transact more programmatic and financial business with DOLI across automated systems. This will require DOLI to expand electronic government services.

Increased IT security requirements, encryption state technology mandates and restricted Federal support of VOSH systems continue to be a challenge for the Agency.

Federal OSHA is in the process of re-engineering its data base systems. Virginia will be expected to implement the new system.

DOLI's customers are requesting ready-access to information.

DOLI will continue to meet the changing business and regulatory requirements of Agency programs by providing state of the art technology.

DOLI continues to review and implement best IT business practices in a timely manner.

IT resources must be affordable.

IT Helpdesk resources must be available in a more timely manner.

- Proposed IT Solutions:

DOLI will develop long-term business solutions, including funding, to enhance or replace existing IT systems.

DOLI anticipates overwhelming state and agency support requirements for VOSH applications. This is due to a reduction in staffing by Federal DOL; and the introduction of newly designed Federal applications.

Federal OSHA is in the process of re-engineering its data base systems. Virginia will be expected to implement new system.

DOLI will need to develop contingency applications in support of the Boiler/Pressure Vessel Division and VOSH.

Increased e-commerce requirements, such as on-line permitting, credit card usage, and intranet capabilities.

Increased emphasis on IT security and encryption usage.

- Current IT Services:

Estimated Ongoing Operations and Maintenance Costs for Existing IT Investments

	Cost - Year 1		Cost - Year 2	
	General Fund	Non-general Fund	General Fund	Non-general Fund
Projected Service Fees	\$386,080	\$128,876	\$391,871	\$130,809
Changes (+/-) to VITA Infrastructure	\$215,813	-\$215,813	\$215,813	-\$215,813
Estimated VITA Infrastructure	\$601,893	-\$86,937	\$607,684	-\$85,004
Specialized Infrastructure	\$0	\$0	\$0	\$0
Agency IT Staff	\$0	\$320,592	\$0	\$320,592
Non-agency IT Staff	\$0	\$0	\$0	\$0
Other Application Costs	\$0	\$0	\$0	\$0
Agency IT Current Services	\$601,893	\$233,655	\$607,684	\$235,588

Comments:

Estimated VITA Infrastructure is unfunded.

- Proposed IT Investments

Estimated Costs for Projects and New IT Investments

	Cost - Year 1		Cost - Year 2	
	General Fund	Non-general Fund	General Fund	Non-general Fund
Major IT Projects	\$0	\$0	\$0	\$0
Non-major IT Projects	\$0	\$0	\$0	\$0
Agency-level IT Projects	\$0	\$0	\$0	\$0
Major Stand Alone IT Procurements	\$0	\$0	\$0	\$0
Non-major Stand Alone IT Procurements	\$0	\$0	\$0	\$0
Total Proposed IT Investments	\$0	\$0	\$0	\$0

- Projected Total IT Budget

	Cost - Year 1		Cost - Year 2	
	General Fund	Non-general Fund	General Fund	Non-general Fund

Current IT Services	\$601,893	\$233,655	\$607,684	\$235,588
Proposed IT Investments	\$0	\$0	\$0	\$0
Total	\$601,893	\$233,655	\$607,684	\$235,588

[Appendix A](#) - Agency's information technology investment detail maintained in VITA's ProSight system.

Capital

- *Current State of Capital Investments:*
None
- *Factors Impacting Capital Investments:*
NA
- *Capital Investments Alignment:*
NA

Agency Goals

Goal 0

Strengthen the culture of preparedness across state agencies, their employees and customers.

Goal Summary and Alignment

This goal ensures compliance with federal and state regulations, policies and procedures for Commonwealth preparedness, as well as guidelines promulgated by the Assistant to the Governor for Commonwealth Preparedness, in collaboration with the Governor's Cabinet, the Commonwealth Preparedness Working Group, the Department of Planning and Budget and the Council on Virginia's Future. The goal supports achievement of the Commonwealth's statewide goal of protecting the public's safety and security, ensuring a fair and effective system of justice and providing a prepared response to emergencies and disasters of all kinds.

Goal Objectives

- We will be prepared to act in the interest of the citizens of the Commonwealth and its infrastructure during emergency situations by actively planning and training both an agency and as individuals.

Objective Strategies

- DOLI's Emergency Coordination Officer will stay in continuous communication with the Office of Commonwealth Preparedness and the Virginia Department of Emergency Management.

Link to State Strategy

- nothing linked

Goal 1

Provide for safe, healthy, and productive workplaces for Virginia workers, businesses, and the general public.

Goal Summary and Alignment

DOLI's first goal, of providing safe, healthy, and productive workplaces for Virginia workers, businesses, and the general public, preserves and enhances the economy in a number of ways. First of all, this goal supports keeping workers and the general public safe and healthy. Obviously, healthy workers are able to continue working and earning an income, which is returned to the economy as these workers purchase goods and services, secure housing and other necessities, etc. Healthy workers who work in safe environments are more likely to be willing to work, a circumstance that maintains the ready and conscientious workforce which influences many employers to locate and remain in Virginia. In addition, safe and healthy workplaces are cost-effective for the employer. When work-related injuries, illnesses and fatalities occur, there are associated expenses, such as worker's compensation for workers injured on-the-job. Those associated expenses can eat up business profits. This goal also supports Virginians in living healthy lives, which again protects business profits. Healthier workers are less likely to miss work. Employee absenteeism can cut into business profits. Finally, this goal protects the public's safety. The stated goal, of providing safe, healthy and productive workplaces for workers, businesses and the general public, describes DOLI's mandates to protect children who work, regulate boilers and pressure vessels, and protect employees in both high-hazard occupations and the asbestos removal/encapsulation industry to prevent fatalities, injuries, and illnesses.

Goal Alignment to Statewide Goals

- Be a national leader in the preservation and enhancement of our economy.
- Engage and inform citizens to ensure we serve their interests.
- Protect the public's safety and security, ensuring a fair and effective system of justice and providing a prepared

response to emergencies and disasters of all kinds.

Goal 2

Enhance the development of highly skilled workers for Virginia's economy.

Goal Summary and Alignment

Virginia's registered apprenticeships elevate levels of educational preparedness and the attainment of citizens. The goal of enhancing the development of highly skilled workers for Virginia's economy describes the purpose of registered apprenticeship programs, which train skilled workers who will then earn reasonable incomes and provide a skilled workforce for employers. The incomes earned by these skilled workers will reenter the economy as they purchase goods and services, secure housing, and pay taxes. The profits earned by employers will likewise benefit the economy as they are enabled to build their businesses and provide continued employment to workers.

Goal Alignment to Statewide Goals

- Elevate the levels of educational preparedness and attainment of our citizens.
- Be a national leader in the preservation and enhancement of our economy.

Goal 3

Protect children from serious injury or death while employed.

Goal Summary and Alignment

DOLI's goal of protecting children from serious injury or death while employed is vital to safeguarding the future of the Commonwealth because our children are our most precious natural resource. They are the future of our state and our nation. It is today's children who will be the leaders, the voters, the decision-makers, the employees and employers of tomorrow. Pursuing the goal of protecting children from serious injury or death while employed preserves and enhances our economy. Protecting children in this way makes possible their future participation in the economy as workers, employers, and consumers. If we carelessly discard the lives and health of our children by not protecting them, we will lose the potential achievements and contributions of these young people to our nation and state, our culture, and our economy.

Goal Alignment to Statewide Goals

- Be a national leader in the preservation and enhancement of our economy.
- Inspire and support Virginians toward healthy lives and strong and resilient families.
- Protect the public's safety and security, ensuring a fair and effective system of justice and providing a prepared response to emergencies and disasters of all kinds.

Goal 4

Provide efficient resolution of wage issues.

Goal Summary and Alignment

DOLI's goal of providing efficient resolution of wage issues preserves and enhances the economy. Workers should be paid for their work. When paid for their work, workers return money to the economy by purchasing goods and services, securing housing, and paying taxes. When Virginia's workers have a reasonable expectation of being paid for their work, they will be more willing to work, and they will be more productive. In addition, resolving payment of wage issues preserves and enhances the economy by benefiting honest employers and businesses. It makes sound economic sense to ensure that workers are paid for their work and that honest employers are protected by eliminating an unfair competitive advantage.

Goal Alignment to Statewide Goals

- Be a national leader in the preservation and enhancement of our economy.

Goal 5

Provide excellent customer service through the effective performance of DOLI personnel.

Goal Summary and Alignment

The goal of providing excellent customer service through the effective performance of DOLI personnel supports Virginia's long-term objective of being recognized as the best managed state in the nation. That is the goal of DOLI's staff, as well. The employees of the Virginia Department of Labor and Industry consistently seek to provide services in the most efficient and courteous way possible. They attempt to stay ahead of trends, while, at the same time, making use of creative and innovative approaches. In addition, as DOLI staff achieve the goal of providing excellent customer service, they will be furthering the following Long-Term State Objectives for Virginia: • Be a national leader in the preservation and enhancement of our economy. • Engage and inform citizens to ensure that we serve their interests. • Elevate the levels of

educational preparedness and attainment of our citizens. • Inspire and support Virginians toward healthy lives. Finally, in achieving the goal of providing excellent customer service, DOLI staff will work toward protecting the public's safety and security in the workplace, in public places where asbestos removal/encapsulation occurs, and in places in which boilers/pressure vessels are located. DOLI's staff responds to reports of fatalities, injuries, and illnesses which occur in high-hazard industries, as well as investigating complaints of unsafe practices in these same industries. In cases which involve criminal actions, DOLI staff pursue a fair and just solution through the judicial system. Thus, although DOLI is not designated as a law-enforcement agency, we actually do enforce laws and regulations that keep people safe in Virginia.

Goal Alignment to Statewide Goals

- Elevate the levels of educational preparedness and attainment of our citizens.
 - Be a national leader in the preservation and enhancement of our economy.
 - Engage and inform citizens to ensure we serve their interests.
 - Be recognized as the best-managed state in the nation.
 - Inspire and support Virginians toward healthy lives and strong and resilient families.
 - Protect the public's safety and security, ensuring a fair and effective system of justice and providing a prepared response to emergencies and disasters of all kinds.
-

Service Area Strategic Plan

Department of Labor & Industry (181)

3/13/2014 8:51 am

Biennium: 2010-12 ▾

Service Area 1 of 6

Apprenticeship Program (181 534 09)

Description

This service area oversees Virginia's Registered Apprenticeship Program, implements the Virginia Voluntary Apprenticeship laws, and provides staffing for the Virginia Apprenticeship Council. Products and services include:

- Register apprenticeship programs that meet standards.
- Assist private employers, state government, and local governments in establishing and maintaining apprenticeship programs.
- Provide educational programs and materials to promote apprenticeship as an effective workplace program.
- Issue Certificates of Completion to each apprentice who successfully completes an apprenticeship.
- Implement the program according to direction received from the Virginia Apprenticeship Council.
- Protect the safety and well-being of apprentices.

Background Information

Mission Alignment and Authority

- *Describe how this service supports the agency mission*

This service area directly aligns with DOLI's mission of making Virginia a better place in which to work, live and conduct business through training skilled workers who will earn a reasonable income and provide a skilled workforce for employers.

- *Describe the Statutory Authority of this Service*

Chapter 1 of Title 40.1 of the Virginia Code provides for the establishment of the Department of Labor and Industry and establishes the authority of the Commissioner.

- Chapter 6 of Title 40.1 of the Virginia Code, known as the Voluntary Apprenticeship Act, provides the minimum requirements for apprenticeship programs. Section 40.1-125 of the Code of Virginia requires the Commissioner of Labor and Industry, with the advice and guidance of the Apprenticeship Council, to administer the provisions of the Voluntary Apprenticeship Act. Responsibility for implementing and administering voluntary apprenticeship in Virginia has been delegated by the U.S. Department of Labor (USDOL) Office of Apprenticeship to the state. The USDOL regulation, 29 CFR Part 29, "Apprenticeship Programs, Labor Standards for Registration, Amendment of Regulations; Final Rule" names the state program as the State Apprenticeship Agency. The definition is "an agency of a State government that has responsibility and accountability for apprenticeship with the State."

- The Virginia Apprenticeship Council is recognized as the regulatory and policy board for the program by the Code of Virginia, at §§ 40.1-117 to 40.1-118. The Council is authorized to promulgate regulations to govern apprenticeship agreements and deregistration procedures, and to establish standards.

- Sections 40.1-119 through 40.1-126 provide the foundation for the development of apprenticeship programs and sponsors in the Commonwealth. The apprenticeship program within DOLI implements the regulations established by the Council.

- 29 USC § 50, known as the Fitzgerald Act, is the federal statute which authorizes the U. S. Secretary of Labor to formulate and promote labor standards to safeguard the welfare of apprentices and to cooperate with the States in the promotion of such standards.

Customers

Agency Customer Group	Customer	Customers served annually	Potential annual customers
Apprentices	Apprentices	13,742	13,742
Employer Sponsors	Employer Sponsors	2,172	2,172
Labor Organizations	Labor Organizations	75	75
Related Instruction Coordinators	Related Instruction Coordinators	16	16

Service Area Total	\$916,924	\$0	\$916,924	\$0
Base Budget	\$931,896	\$0	\$931,896	\$0
Change To Base	-\$14,972	\$0	-\$14,972	\$0

Service Area Total	\$916,924	\$0	\$916,924	\$0
Base Budget	\$931,896	\$0	\$931,896	\$0
Change To Base	-\$14,972	\$0	-\$14,972	\$0

Service Area Total	\$916,924	\$0	\$916,924	\$0
Base Budget	\$931,896	\$0	\$931,896	\$0
Change To Base	-\$14,972	\$0	-\$14,972	\$0

Service Area Total	\$916,924	\$0	\$916,924	\$0
Base Budget	\$931,896	\$0	\$931,896	\$0
Change To Base	-\$14,972	\$0	-\$14,972	\$0

Service Area Total	\$916,924	\$0	\$916,924	\$0
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Human Resources

- *Human Resources Overview*
[Nothing entered]
- *Human Resource Levels*

Effective Date	
Total Authorized Position level	0
Vacant Positions	0
Current Employment Level	0.0
Non-Classified (Filled)	
Full-Time Classified (Filled)	
Part-Time Classified (Filled)	
Faculty (Filled)	
Wage	
Contract Employees	
Total Human Resource Level	0.0

breakout of Current Employment Level

= Current Employment Level + Wage and Contract Employees

- *Factors Impacting HR*
[Nothing entered]
- *Anticipated HR Changes*
[Nothing entered]

Service Area Objectives

- We will increase the numbers of apprentices enrolled in Virginia's Registered Apprenticeship Programs..

Objective Description

One of the Agency's Goals is to enhance the development of highly skilled workers for Virginia's economy. The development of highly skilled workers through Registered Apprenticeship training provides career options for workers and an available pool of skilled workers for employers.

Alignment to Agency Goals

- Agency Goal: Enhance the development of highly skilled workers for Virginia's economy.

Objective Strategies

- Agency staff provide consultation services to Employer Sponsors to further assist them in meeting statutory requirements and improving their apprenticeship training programs.
- Agency staff conduct detailed evaluations of Registered Apprenticeship programs.

Link to State Strategy

- nothing linked

Objective Measures

- To increase the number of apprentices participating in the Registered Apprenticeship training programs.

Measure Class: Measure Type: Measure Frequency: Preferred Trend:

Measure Baseline Value: Date:

Measure Baseline Description: The Measure Baseline as of 6/30/2009 is 13,761.

Measure Target Value: Date:

Measure Target Description: The Measure Target is to achieve an increase in the number of Registered Apprenticeship participants to 14,174 by the end of Fiscal Year 2012 on 6/30/2012.

Data Source and Calculation: Participants in registered apprenticeship programs are tracked and recorded in an Agency-based program database. Numbers are accumulated and reported at the end of each state fiscal year. Due to the current economic downturn, the total number of registered apprentices in Virginia has declined. We will work to attain a 3% increase in the number of registered apprentices during the 2010-2012 biennium. As the economy improves, we expect the number of registered apprentices in Virginia to increase.

- The cost of providing Registered Apprenticeship services per Registered Apprenticeship participant.

Measure Class: Measure Frequency: Preferred Trend:

Measure Baseline Value: Date:

Measure Baseline Description: This is the computed cost of providing Registered Apprenticeship services per Registered Apprenticeship participant for the first quarter of FY2008.

Measure Target Value: Date:

Measure Target Description: This is the targeted goal for the cost of providing Registered Apprenticeship services per Registered Apprenticeship participant per Fiscal Year quarter.

Data Source and Calculation: This measure is computed as follows: Total appropriated expenditures for a particular quarter of a specific fiscal year for the Division of Registered Apprenticeship divided by the total number of registered apprentices as of the end of that quarter of that fiscal year.

Service Area Strategic Plan

Department of Labor & Industry (181)

3/13/2014 8:51 am

Biennium: 2010-12

Service Area 2 of 6

Labor Law Services (181 552 06)

Description

This service area implements the laws of the Commonwealth governing payment of wages, minimum wage, garnishee rights, discharge for work-related injuries, other conditions of employment, and employment of children. Products and services include:

- **Inspection and Enforcement:**
Thorough, consistent enforcement of the laws and regulations governing child labor, payment of wage, and other provisions of §40.1 of the Code of Virginia. Assessing corporate or individual responsibility as appropriate. Investigating alleged violations of labor and employment laws.
- **Permitting:**
Ensuring compliance with Virginia’s child labor laws by training, assisting and providing oversight to officials of local schools who issue permits for 14 and 15 year olds who are to be employed. Providing supplies to issuing officers. Issuing theatrical and solicitation permits for minors.
- **Hearings and Conferences:**
Initiating informal conferences to settle disputes between employers and employees regarding wages. Planning, setting and providing notice of administrative hearings in payment of wage cases. Referring cases to the Office of the Attorney General (OAG) for litigation.

Background Information

Mission Alignment and Authority

- *Describe how this service supports the agency mission*
This service area directly aligns with DOLI's mission of making Virginia a better place in which to work, live and conduct business by resolving payment of wage disputes, protecting children from hazardous employment, ensuring that Code of Virginia provisions regarding permissible hours of work for minors are not violated, and providing answers to inquiries concerning Virginia's labor laws. Conducting investigations into alleged violations of labor and employment laws.
- *Describe the Statutory Authority of this Service*
Chapter 1 of Title 40.1 provides for the establishment of the Department of Labor and Industry and establishes the authority of the Commissioner.
 - Chapter 3 of Title 40.1 provides for the protection of employees. This chapter includes the Virginia Minimum Wage Act (§§ 40.1-28.8 to 40.1-28.12); payment of wage (§§ 40.1-29); equal pay irrespective of sex (§ 40.1-28.6); preventing employment by others of former employees (§ 40.1-27); discharge of an employee for absence due to work-related injury prohibited (§ 40.1-27.1); unlawful to require payment for medical examination as a condition of employment (§ 40.1-28); prohibition of use of certain questions on polygraph tests for employment (§ 40.1-51.4:3); and, prohibition of use of polygraphs in certain employment situations (§ 40.1-51.4:4).
 - Chapter 4 of Title 40.1 governs various aspects of employment, including certain actions of labor unions (§§ 40.1-52 to 40.1-54.2); denial or abridgement of right to work (§§ 40.1-58 to 40.1-69) ; and, mediation and conciliation of labor disputes (§§ 40.1-70 to 40.1-75).
 - Chapter 5 of Title 40.1 governs all aspects of child labor. It establishes the minimum age for children to work in certain occupations; the hours of work for children; and conditions of employment of children on farms, in gardens and in orchards.

Customers

Agency Customer Group	Customer	Customers served annually	Potential annual customers
Attorneys	Attorneys	2,300	26,278
Employees	Employees	19,500	3,598,669
Employers	Employers	10,800	209,903
Issuing Officers	Issuing Officers	1,500	1,500
Minors working in Virginia	Minors working in Virginia	15,000	484,000

	FY 2011		FY 2012		FY 2011	FY 2012						
	General Fund	Nongeneral Fund	General Fund	Nongeneral Fund								
Base Budget	\$818,039	\$0	\$818,039	\$0								
Change To Base	-\$14,063	\$0	-\$14,063	\$0								
Service Area Total	\$803,976	\$0	\$803,976	\$0								
Base Budget	\$818,039	\$0	\$818,039	\$0								
Change To Base	-\$14,063	\$0	-\$14,063	\$0								
Service Area Total	\$803,976	\$0	\$803,976	\$0								
Base Budget	\$818,039	\$0	\$818,039	\$0								
Change To Base	-\$14,063	\$0	-\$14,063	\$0								
Service Area Total	\$803,976	\$0	\$803,976	\$0								
Base Budget	\$818,039	\$0	\$818,039	\$0								
Change To Base	-\$14,063	\$0	-\$14,063	\$0								
Service Area Total	\$803,976	\$0	\$803,976	\$0								
Base Budget	\$818,039	\$0	\$818,039	\$0								
Change To Base	-\$14,063	\$0	-\$14,063	\$0								
Service Area Total	\$803,976	\$0	\$803,976	\$0								

Human Resources

- *Human Resources Overview*
[Nothing entered]
- *Human Resource Levels*

Effective Date	
Total Authorized Position level	0
Vacant Positions	0
Current Employment Level	0.0
Non-Classified (Filled)	
Full-Time Classified (Filled)	
Part-Time Classified (Filled)	

breakout of Current Employment Level

Faculty (Filled)	
Wage	
Contract Employees	
Total Human Resource Level	0.0 = <i>Current Employment Level + Wage and Contract Employees</i>

- **Factors Impacting HR**
[Nothing entered]
- **Anticipated HR Changes**
[Nothing entered]

Service Area Objectives

- We will advance the fair and efficient investigation of wage complaints.

Objective Description

The Code of Virginia, at §40.1-29, requires that employers pay employees for time worked. A payment of wage investigation is initiated following an allegation by an employee that he/she was not paid by the employer for time worked.

Alignment to Agency Goals

- Agency Goal: Provide efficient resolution of wage issues.
Comment: The Virginia Payment of Wage Law, codified in the Code of Virginia, at §40.1-29, requires that an employer pay an employee for time worked.
- Agency Goal: Provide excellent customer service through the effective performance of DOLI personnel.
Comment: Resolving payment of wage claims quickly and efficiently serves the needs of employers and employees and makes the best possible use of the Commonwealth's resources.

Objective Strategies

- Streamlined investigation process including centralized in-take of claims.
- Use of automated systems to manage the distribution of work.
- Regular audit of work processes to ensure compliance with program goals.

Link to State Strategy

- nothing linked

Objective Measures

- To complete 90 percent of the payment of wage investigations within 90 days.

Measure Class: Agency Key Measure Type: Outcome Measure Frequency: Quarterly Preferred Trend: Up

Measure Baseline Value: 85 Date: 6/30/2009

Measure Baseline Description: The Measure Baseline of 85 percent of payment of wage investigations closed within 90 days or less was established in the last quarter of Fiscal Year 2009, which ended 6/30/2009.

Measure Target Value: 90 Date: 6/30/2012

Measure Target Description: The Measure Target is to close 90 percent of payment of wage investigations within 90 days or less by the end of Fiscal Year 2012 on 6/30/2012.

Data Source and Calculation: Each wage claim the agency receives is entered in the Labor Law Database, which records beginning/closing dates of the investigation. The measure will be the percentage of investigations of valid wage claims that are closed within 90 days. The Agency follows due process requirements which provide for numerous multi-week response times.

- We will reduce the number of children working in hazardous or unhealthy occupations in Virginia.

Objective Description

Employment certificates are issued by issuing officers to minors ages 14 and 15. Virginia law prohibits the employment of minors under the age of 18 in hazardous or unhealthy occupations. An employment certificate will be

revoked if the minor's employment is found to be hazardous or unhealthy. Chapter 5 of Title 40.1 of the Code of Virginia governs the employment of minors and issuance of employment certificates.

Alignment to Agency Goals

- Agency Goal: Protect children from serious injury or death while employed.

Comment: Chapter 5 of Title 40.1, which governs the employment of children in Virginia, mandates that children in Virginia, while working, must be in safe, healthful environments that do not endanger them or interfere with their education.

Objective Strategies

- DOLI will increase the annual number of inspections at workplaces that may hire minors.

Link to State Strategy

- nothing linked

Objective Measures

- We will increase the number of inspections annually conducted by Labor Law representatives of workplaces that may hire minors.

Measure Class: Measure Type: Measure Frequency: Preferred Trend:

Measure Baseline Value: Date:

Measure Baseline Description: The Measure Baseline for Fiscal Year 2009, which ended 6/30/2009, was 75 inspections per Labor Law Representative at workplaces that may hire minors.

Measure Target Value: Date:

Measure Target Description: The Measure Target will be an increase of 5% in the number of inspections conducted per Labor Law Representatives at workplaces that may hire minors by the completion of Fiscal Year 2012 on 6/30/2012.

Data Source and Calculation: The Labor Law Representatives will conduct annual inspections at various businesses that may hire minors to ensure compliance with child labor laws. Data obtained as a result of these inspections is entered into the Labor and Employment Law Division's internal database. The entered data represents the total number of such inspections.

Service Area Strategic Plan

Department of Labor & Industry (181)

3/13/2014 8:51 am

Biennium: 2010-12 ▾

Service Area 3 of 6

Virginia Occupational Safety and Health Services (181 555 01)

Description

This service area administers occupational safety and health activities in Virginia (the Virginia State Plan agreement with federal OSHA as required by § 40.1-1 of the Code of Virginia) for general industry, agriculture, construction and the public sector. The federal Occupational Safety and Health Act of 1970 requires federal OSHA to enforce its regulations throughout the country, except in states that apply and receive approval for a State Plan for occupational safety and health. Virginia received its approval as a State Plan state in 1988. Products and services include:

- Customer service, such as training and technical assistance;
- Investigation of worker occupational safety and health complaints in construction and general industry companies.
- Investigating workplace fatalities and catastrophes.
- Inspection and enforcement of the occupational safety and health laws and regulations in the construction industry and general industry in the public and private sectors, with the exception of employers covered by federal agencies and installations under § 4(b)(1) of the OSH Act of 1970.
- Regulatory development to establish minimum requirements for worker and public safety.
- Safety and health consultation to private and public sector employers with priority given to high-hazard companies with 250 or fewer employees.
- Recognition of qualified high-hazard companies with 250 employees or less as SHARP (Safety and Health Achievement Recognition Program) sites.
- Recognizing companies with 250 or more employees with exemplary safety and health programs under the Voluntary Protection Program (VPP) using the STAR and MERIT designations.
- Annual Virginia Occupational Safety and Health (VOSH) Conference to provide training and information to Virginia employers, employees and safety and health professionals.
- Conducting the Annual Survey of Occupational Injuries and Illnesses and the Census of Fatal Occupational Injuries (CFOI) under cooperative agreements with the US Bureau of Labor Statistics.
- Assure compliance with the Virginia Overhead High Voltage Line Safety Act.
- Participation in the OSHA Data Initiative in high-hazard industries.
- Economic development support by ensuring safe and healthy workplaces in Virginia companies.
- Legal support from the Office of Legal Support (OLS) to VOSH compliance divisions under the guidance and direction of the Office of the Attorney General.
- The Office of Planning and Evaluation (OPE) provides support to the VOSH divisions in the areas of development, coordination, and issuance of plans, policies, procedures, program directives, operational manuals, regulations, and other related documents.

Background Information

Mission Alignment and Authority

- *Describe how this service supports the agency mission*

This service area directly aligns with DOLI's mission of making Virginia a better place to work, live and conduct business by promoting safe, healthy workplaces, instituting safe work practices and providing training, information, and technical assistance to employers, employees, and safety/health professionals.

- *Describe the Statutory Authority of this Service*

Chapter 1 of Title 40.1 provides for the establishment of the Department of Labor and Industry and establishes the authority of the Commissioner.

- Section 40.1-1 authorizes the Virginia Occupational Safety and Health (VOSH) Program.

- The responsibilities of the program are outlined in §§ 40.1-1, 40.1-2, 40.1-3, 40.1-6, and §§ 40.1-49.3 through 40.1-51.4:2. Although Virginia is not mandated by Federal law or regulation to have an occupational safety and health program, responsibility in Virginia has been delegated by the U.S. Department of Labor (USDOL) Occupational Safety and Health Administration (OSHA) to the state through the Virginia State Plan.
- The Virginia Safety and Health Codes Board is established as the regulatory and policy board for the program by § 40.1-22. The Board is authorized to establish regulations governing occupational safety and health .
- The Code of Virginia, §§ 59.1-406 thru 59.1-414, known as the Overhead High Voltage Line Safety Act, promotes the safety and protection of persons engaged in work or activity in the vicinity of overhead high voltage lines.
- The federal Occupational Safety and Health Act of 1970 requires federal OSHA to enforce its regulations throughout the country, except in states that apply and receive approval for a State Plan for occupational safety and health. Virginia received its approval as a State Plan state in 1988. Requirements for State Plans are found in section 18 of the federal Occupational Safety and Health Act of 1970 and in federal regulation 29 CFR 1902, entitled, "State Plans for the Development and Enforcement of State Standards".
- Section 18(c)(7) of the Occupational Safety and Health Act of 1970 and federal regulation 29 CFR 1902.3(k) requires states implementing their own occupational safety and health program to ensure that employers covered by the program will maintain records and make reports to the USDOL's Assistant Secretary for Occupational Safety and Health containing statistical information pertaining to work related deaths, injuries and illnesses. This law and regulation authorize Virginia to conduct the "Annual Survey of Occupational Injuries and Illnesses" and the "Census of Fatal Occupational Injuries".

Customers

Agency Customer Group	Customer	Customers served annually	Potential annual customers
Employees	Employees	3,546,936	3,546,936
Employers	Employers	225,918	225,918

Anticipated Changes To Agency Customer Base

The Commonwealth’s workforce has changed in significant ways over the past several decades. It is more diverse in terms of age, gender, race, and nationality. A smaller percentage of workers are employed in large fixed industries, and higher proportions are employed in small firms or temporary jobs. Increasing numbers of employers offer their employees the option of telecommuting or working from home. More work is now contracted, outsourced, and part-time. These trends are expected to continue over the next several decades, and will require different strategies to address developing issues.

In terms of workforce demographics, we can expect to see a greater percentage of youth and older workers in the workforce. According to several sources on labor force trends, in the next decade, the youth population, ages 16 to 24, is expected to increase as a share of the workforce, the 25 to 54 age group is expected to decline, and the 55 and over age group will experience the most growth. According to the National Institute on Occupational Safety and Health (NIOSH), 80% of young people are employed at some point before they leave school. In addition, as the demand for skilled, experienced workers grows in the next two decades, older workers will become an increasingly vital labor resource. These demographic shifts influence occupational injury rates and, therefore, raise issues for VOSH’s program strategies. For example, despite child labor laws that prohibit teens from engaging in the most dangerous occupations, they have a higher rate of injury per hour than adults. Older workers, on the other hand, have lower injury and illness rates than the labor force as a whole, although injured older workers generally take longer to return to work.

Partners

Partner	Description
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[None entered]

Products and Services

- *Factors Impacting the Products and/or Services:*
 - Full automation of the Virginia Courts Case Information System will enable program staff to check online the status of VOSH cases in litigation in the Circuit Courts of Virginia, will enhance the Agency's ability to assure that litigation is initiated for VOSH contested cases within the Department's stated goal of one year from the citation issuance date (several major local jurisdictions such as Fairfax County have not yet been added to the online system).
- Changes in information technology systems at the federal level.
- Agency funding for occupational safety and health is tied to the federal appropriations process.
- Increasing globalization and evolving technologies, combined with a growing number of non-English speaking customers will necessitate enhancements and modifications to our products and services.
- Judicial decisions impact VOSH program operations, as well as continued State Plan status.

- Litigation of VOSH contested cases occurs at the local level in Virginia's court system.
- Employee turnover and retention, especially in DOLI's Northern Virginia Regional Office, located in Manassas.

- *Anticipated Changes to the Products and/or Services*

The Agency anticipates that strategies will be developed to provide services to a changing workforce. The Agency anticipates using the services of foreign language interpreters and training some staff to speak non-English languages (especially Spanish). The Agency also anticipates delivering services to a workforce that is diverse in terms of age, gender, race, and nationality. The Agency anticipates providing services to a smaller percentage of workers who are employed in large fixed industries, and to a higher percentage of workers employed in small firms, temporary jobs, or at home. We further anticipate adapting our services to assist employees whose work is contracted, outsourced, and part time. We anticipate that these trends will continue over the next several decades and expect to develop different strategies to address these and other developing issues.

The Agency anticipates making adaptations to services based on changing workforce demographics, which will include a greater percentage of youth and older workers in the workforce. According to several sources on labor force trends, in the next decade, the youth population, ages 16 to 24, is expected to increase as a share of the workforce, the 25 to 54 age group is expected to decline, and the 55 and over age group will grow the fastest. According to the National Institute on Occupational Safety and Health (NIOSH), 80% of young people are employed at some point before they leave school. In addition, as the demand for skilled, experienced workers grows in the next two decades, older workers will become an increasingly vital labor resource. These demographic shifts influence occupational injury rates and, therefore, raise issues for VOSH's program strategies. For example, despite child labor laws that prohibit teens from engaging in the most dangerous occupations, they have a higher rate of injury per hour than adults. Older workers, on the other hand, have lower injury and illness rates than the labor force as a whole, although injured older workers generally take longer to return to work.

The Agency anticipates a possible need to develop outreach services for immigrant workers, who are often less English literate, unable to read English instructions, and who work in some of the most inherently dangerous jobs. In addition, we anticipate providing products to other hard-to-reach workers and employers, including youth workers, employees who work at a single location for only a few days before moving to a new location, temporary workers, and small business owners. The Agency anticipates that demographic and workplace trends may further complicate the implementation of occupational safety and health programs and could necessitate enforcement, training, and delivery systems that are very different from those upon which we relied to date.

- *Listing of Products and/or Services*

- Inspection and Enforcement: Consistent application of occupational safety and health laws and regulations through effective and efficient enforcement inspections of work-related accidents, fatalities, imminent danger situations, employee complaints, referrals from other government agencies and planned inspections in general industry, construction and agriculture in both the public and private sectors, with the exception of employers in federal enclaves or those covered by federal agencies under § 4(b)(1) of the OSH Act of 1970, and assuring compliance with the Virginia Overhead High Voltage Line Safety Act.
- Consultation, Outreach, and Compliance : Safety and health consultation to private and public sector employers with priority given to high-hazard companies with 250 or fewer employees. Customer service, such as providing training and technical assistance to employers and employees, and coordinating the annual Virginia Occupational Safety and Health Conference regularly attended by 300-400 safety and health professionals, employers and employees.
- Regulatory Development: Regulatory development to establish minimum occupational safety and health requirements for employees and employers, and providing staff support to the Virginia Safety and Health Codes Board.
- Data Collection: Collecting the Annual Survey of Occupational Injuries and Illnesses and the Census of Fatal Occupational Injuries (CFOI) under cooperative agreements with the US Bureau of Labor Statistics.
- Legal Support: Under the guidance and direction of the Office of the Attorney General, legal support is provided to the VOSH compliance divisions in the following areas: obtaining settlement of or litigating VOSH contested cases that cannot be settled at the Regional Office level, pre-citation review of significant cases (primarily fatality, willful and criminal cases), obtaining warrants when an employer denies a VOSH compliance officer access to work sites, handling subpoenas for Department personnel and records, and processing Freedom of Information Act (FOIA) requests.
- Voluntary Protection Program: Operation of the Voluntary Protection Program (VPP) to recognize and promote effective occupational safety and health management. Recognition of qualified high hazard companies with 250 employees or less as SHARP (Safety and Health Achievement Recognition Program) sites. Recognition of qualified companies with more than 250 employees as STAR and MERIT work-sites under the VPP program.
- Planning and Evaluation: The Office of Planning and Evaluation (OPE) provides support to the VOSH divisions in the areas of development, coordination, and issuance of plans, policies, procedures, program directives, operational manuals, regulations, and other related documents.

Finance

• *Financial Overview*

Virginia Occupational Safety and Health Services is funded by State General Fund Appropriation Match (42%), Federal Funds from the U.S. Department of Labor (56%), Special Revenue Funds for Consultation Grant Agreement Match (1%), and registration fees for Annual Safety and Health Conference (1%).

• *Financial Breakdown*

	FY 2011		FY 2012		FY 2011	FY 2012	FY 2011	FY 2012	FY 2011	FY 2012
	General Fund	Nongeneral Fund	General Fund	Nongeneral Fund						
Base Budget	\$3,319,239	\$5,116,330	\$3,319,239	\$5,116,330						
Change To Base	-\$44,615	\$0	-\$44,615	\$0						
Service Area Total	\$3,274,624	\$5,116,330	\$3,274,624	\$5,116,330						
Base Budget	\$3,319,239	\$5,116,330	\$3,319,239	\$5,116,330						
Change To Base	-\$44,615	\$0	-\$44,615	\$0						
Service Area Total	\$3,274,624	\$5,116,330	\$3,274,624	\$5,116,330						
Base Budget	\$3,319,239	\$5,116,330	\$3,319,239	\$5,116,330						
Change To Base	-\$44,615	\$0	-\$44,615	\$0						
Service Area Total	\$3,274,624	\$5,116,330	\$3,274,624	\$5,116,330						
Base Budget	\$3,319,239	\$5,116,330	\$3,319,239	\$5,116,330						
Change To Base	-\$44,615	\$0	-\$44,615	\$0						
Service Area Total	\$3,274,624	\$5,116,330	\$3,274,624	\$5,116,330						

Human Resources

• *Human Resources Overview*

[Nothing entered]

• *Human Resource Levels*

Effective Date	
Total Authorized Position level	0
Vacant Positions	0
Current Employment Level	0.0
Non-Classified (Filled)	
Full-Time Classified (Filled)	
Part-Time Classified (Filled)	
Faculty (Filled)	

breakout of Current Employment Level

Wage	
Contract Employees	
Total Human Resource Level	0.0 = Current Employment Level + Wage and Contract Employees

- **Factors Impacting HR**
[Nothing entered]
- **Anticipated HR Changes**
[Nothing entered]

Service Area Objectives

- We will work toward reducing workplace fatalities in the high-hazard construction industry.

Objective Description

Each year, more workers die in the construction industry than in any other sector. The construction fatality rate is three times that of general industry and remained virtually unchanged from 1992-1999, before dropping in 2000. This situation is complicated by a hard-to-reach employer and employee population. Safety and Health Compliance staff conduct inspections of construction sites in accordance with federal, state, local, and special emphasis programs that are designed to prevent catastrophic accidents, as well as conducting thorough investigations of construction fatalities. The Agency does not have direct control of workplaces, but we track data on workplace fatalities. Program efforts do have a positive impact on ensuring safer workplaces in general.

Alignment to Agency Goals

- Agency Goal: Provide for safe, healthy, and productive workplaces for Virginia workers, businesses, and the general public.

Comment: Safety and Health Compliance support this Agency goal by conducting inspections of construction sites in accordance with federal, state, local, and special emphasis programs that are designed to prevent catastrophic accidents, as well as conducting thorough investigations of construction fatalities.

Objective Strategies

- Each year, more workers die in the construction industry than in any other sector. The construction fatality rate is three times that of general industry and remained virtually unchanged from 1992-1999, before dropping in 2000. This situation, complicated by a hard-to-reach employer and employee population, presents unique challenges for VOSH that call for new strategies. Therefore, VOSH will continue to conduct a strong, fair and effective enforcement program that includes inspecting worksites and issuing citations and penalties for violations of safety and health standards. Priorities for inspections include reports of imminent danger, fatalities and catastrophic accidents, employee complaints, investigation of whistleblower activities, referrals from other government agencies and targeted areas of concern. Areas of concern will be handled with priority by issuing special emphasis programs to target higher risk areas.
- VOSH offers consultation services at no cost, targeted to small businesses in high-hazard industries, that assists employers in identifying and correcting workplace hazards and establishing safety and health management systems.
- VOSH offers the Annual Virginia Occupational Safety and Health Conference state-wide, providing training and information to Virginia employers, employees and safety and health professionals.
- Maintain or continue the reliability and response rate of the Annual Survey of Occupational Injuries and Illnesses and the Census of Fatal Occupational Injuries under cooperative agreements with the US Bureau of Labor Statistics (BLS) by releasing data in a more timely fashion (a BLS goal).
- VOSH enters into voluntary relationships (VPP and SHARP) with employers, employees, employee representatives and trade and professional organizations to encourage, assist and recognize their efforts to increase worker safety and health. These programs promote effective safety and health management and leverage the Agency's resources to share safe and healthy best practices.
- VOSH develops and disseminates a wide range of guidance and standards that contribute to the occupational safety and health community, and the knowledge and awareness of employers and employees.

Link to State Strategy

- nothing linked

Objective Measures

- To reduce the rate of workplace fatalities in the high-hazard construction industry per 100,000 workers.

Measure Class: Measure Type: Measure Frequency: Preferred Trend:

Measure Baseline Value: Date:

Measure Baseline Description: 14.41 fatalities (per 100,000 workers) for Fiscal Year 2007.

Measure Target Value: Date:

Measure Target Description: 13.69 fatalities (Decrease by 5 percent the number of fatalities per 100,000 workers per year) by the end of Calendar Year 2012 on 12/31/2012.

Data Source and Calculation: U. S. Department of Labor (USDOL) Bureau of Labor Statistics (BLS) tables that record yearly rates of fatality per 100,000 workers in the high-hazard construction industry. The Agency does not have direct control of workplaces, but we track this measure.

- We will work toward reducing workplace injuries and illnesses in the high-hazard construction industry.

Objective Description

Safety and Health Compliance staff conduct inspections of work sites, identifying hazards and working with employers to correct those hazards. The Agency does not have direct control of workplaces, but we track data on workplace injuries/illnesses. The program efforts do have a positive impact on ensuring safer workplaces in general.

Alignment to Agency Goals

- Agency Goal: Provide for safe, healthy, and productive workplaces for Virginia workers, businesses, and the general public.

Comment: Safety and Health Compliance support this Agency goal by conducting inspections of work sites, identifying hazards and working with employers to correct those hazards.

Objective Strategies

- VOSH develops and disseminates a wide range of guidance and standards that contribute to the occupational safety and health community, and the knowledge and awareness of employers and employees.
- Offer the Annual Virginia Safety and Health Conference to a wide service area, providing training and information to Virginia employers, employees and safety and health professionals.
- Maintain and continue the reliability and response rate of the Annual Survey of Occupational Injuries and Illnesses and the Census of Fatal Occupational Injuries under cooperative agreements with the U.S. Department of Labor, Bureau of Labor Statistics (BLS).
- VOSH will continue to conduct a strong, fair, and effective enforcement program that includes inspecting worksites and issuing citations and penalties for violations of safety and health standards. Priorities for inspection include reports of imminent danger, fatalities and catastrophic accidents, employee complaints, investigation of whistleblower activities, referrals from other government agencies and targeted areas of concern. Areas of concern will be handled with priority by issuing special emphasis programs to target higher risk areas.
- VOSH offers consultation services at no cost, targeted to small businesses in high-hazard industries, that assists employers in identifying and correcting workplace hazards and establishing safety and health management systems.
- VOSH enters into voluntary relationships (VPP, SHARP, and Alliances) with employers, employees, employee representatives and trade and professional organizations to encourage, assist and recognize their efforts to increase worker safety and health. These programs promote effective safety and health management and leverage the Agency's resources to share safe and healthy best practices.

Link to State Strategy

- nothing linked

Objective Measures

- Rate of workplace injuries in the high-hazard construction industry per 100 employees.

Measure Class: Measure Type: Measure Frequency: Preferred Trend:

Measure Baseline Value: Date:

Measure Baseline Description: 6.54 Injuries/illnesses per 100 workers for Fiscal Year 2007.

Measure Target Value: Date:

Measure Target Description: 4.97 Injuries/illnesses per 100 workers per year by the end of Calendar Year 2012 on 12/31/2012.

Data Source and Calculation: The U. S. Department of Labor (USDOL) Bureau of Labor Statistics (BLS) tables record rates of injury/illness per 100 workers in the high-hazard construction industry. The Agency does not have direct control of workplaces, but we track data on illnesses and injuries.

- We will respond quickly to all safety and health complaints.

Objective Description

Safety and Health Compliance staff promptly handle all safety and health complaints or referrals in accordance with OSHA standards and our Virginia Occupational Safety and Health (VOSH) Field Operations Manual (FOM).

Alignment to Agency Goals

- Agency Goal: Provide for safe, healthy, and productive workplaces for Virginia workers, businesses, and the general public.

Comment: Safety and Health Compliance staff support this goal by promptly handling all safety and health complaints or referrals in accordance with OSHA standards and our Virginia Occupational Safety and Health (VOSH) Field Operations Manual (FOM).

- Agency Goal: Provide excellent customer service through the effective performance of DOLI personnel.

Comment: Safety and Health Compliance staff support this goal by promptly handling all safety and health complaints or referrals in accordance with OSHA standards and our Virginia Occupational Safety and Health (VOSH) Field Operations Manual (FOM).

Objective Strategies

- VOSH will continue to conduct a strong, fair and effective enforcement program that includes inspecting work sites and issuing citations and penalties for violations of safety and health standards. Priorities for inspections include reports of imminent danger, fatalities and catastrophic accidents employee complaints, investigation of whistleblower activities, referrals from other government agencies and targeted areas of concern. Areas of concern will be handled with priority by issuing special emphasis programs to target higher risk areas.

Link to State Strategy

- nothing linked

Objective Measures

- Percentage of health/safety complaints investigated within one business day.

Measure Class: Measure Type: Measure Frequency: Preferred Trend:

Measure Baseline Value: Date:

Measure Baseline Description: 99 percent of health/safety complaints responded to within one business day in Fiscal Year 2007.

Measure Target Value: Date:

Measure Target Description: Maintain a rate of at least 95 percent of health/safety complaints responded to within one business day throughout Fiscal Years 2011 and 2012.

Data Source and Calculation: The Virginia Occupational Safety and Health (VOSH) program data is tracked utilizing the Integrated Management Information System (IMIS) database. VOSH offers workers the choice between two approaches to handle their complaints: either VOSH will conduct an investigation by contacting the employer via phone/fax to inform them of the complaint, with a response required back from the employer within five work days; or, VOSH will conduct an on-site inspection.

- Number of occupational safety and health hazards identified.

Measure Class: Measure Type: Measure Frequency: Preferred Trend:

Measure Baseline Value: Date:

Measure Baseline Description: 8,613 safety and health hazards identified in Federal Fiscal Year 2007.

Measure Target Value: Date:

Measure Target Description: Steadily increase the number of safety and health hazards identified, so that at least 9,495 safety and health hazards are identified in Federal Fiscal Year 2010, which ends on 9/30/2012.

Data Source and Calculation: Safety and health inspections are conducted by compliance officers and consultants. Hazards identified are recorded and maintained in the Virginia Occupational Safety and Health (VOSH) Integrated Management Information System (IMIS) Compliance data base, and the Voluntary Compliance data base.

Service Area Strategic Plan

Department of Labor & Industry (181)

3/13/2014 8:51 am

Biennium: 2010-12

Service Area 4 of 6

Asbestos and Lead Safety Services (181 555 02)

Description

This service area implements the laws and regulations regarding asbestos and lead removal projects and the Virginia Asbestos NESHAP Act. Regulation of asbestos and lead removal projects involves issues of occupational safety and health, as well as issues of public safety. Products and services include:

- Customer service by providing technical assistance;
- Issuance of asbestos and lead project permits to abatement contractors;
- Conducting an on-site unannounced inspection of asbestos and lead removal contractors as resources allow at least once a year;
- Assurance of contractor adherence to the National Emission Standard for Hazardous Air Pollutants (NESHAP) to protect the general public and the environment from asbestos emissions during renovation and demolition activities;
- Assurance of safe work practices during installation, removal, and encapsulation of asbestos and lead;
- Regulatory development to establish minimum requirements for worker and public safety during installation, removal, and encapsulation of asbestos and lead; and
- Economic development support through helping ensure older buildings can be safely rehabilitated by the removal of asbestos and lead.

Background Information

Mission Alignment and Authority

- *Describe how this service supports the agency mission*

This service area directly aligns with DOLI's mission of making Virginia a better place to work, live and conduct business by protecting workers, employers, and the public through assuring safe work practices during installation, removal, and encapsulation of asbestos and lead, by providing technical assistance, and through economic development support to ensure that older buildings can be safely rehabilitated by the removal of asbestos and lead.

- *Describe the Statutory Authority of this Service*

Chapter 1 of Title 40.1 provides for the establishment of the Department of Labor and industry and establishes the authority of the Commissioner.

- Chapter 3.2 of Title 40.1 (§§ 40.1-51.20 thru 40.1-51.22) establishes the Asbestos and Lead Notification Program as part of a larger program requiring licensing and certification of asbestos and lead contractors and workers by the Department of Professional and Occupational Regulation (DPOR) (§§ 54.1-500 thru 54.1-517). It requires issuance of permits for removal contractors and inspection of each removal, installation or encapsulation project.

- Chapter 3.3 of Title 40.1 (§§ 40.1-51.23 thru 40.1-51.41), known as the Virginia Asbestos NESHAP Act, establishes the requirements for asbestos contractors to protect the general public and the environment from asbestos emissions during renovation and demolition activities.

- The Virginia Safety and Health Codes Board is established as the regulatory and policy board for the program by § 40.1-22. The Board is authorized to establish regulations governing the asbestos and lead safety program.

Customers

Agency Customer Group	Customer	Customers served annually	Potential annual customers
Asbestos and Lead Abatement Contractors	Asbestos and Lead Abatement Contractors	300	300
Asbestos and Lead Abatement Workers	Asbestos and Lead Abatement Workers	3,436	3,436
Employees	Employees	4,546,936	4,546,936
Employers	Employers	225,918	225,918

	General Fund	Nongeneral Fund	General Fund	Nongeneral Fund
Base Budget	\$0	\$224,795	\$0	\$224,795
Change To Base	\$0	\$0	\$0	\$0
Service Area Total	\$0	\$224,795	\$0	\$224,795
Base Budget	\$0	\$224,795	\$0	\$224,795
Change To Base	\$0	\$0	\$0	\$0
Service Area Total	\$0	\$224,795	\$0	\$224,795
Base Budget	\$0	\$224,795	\$0	\$224,795
Change To Base	\$0	\$0	\$0	\$0
Service Area Total	\$0	\$224,795	\$0	\$224,795

Human Resources

- *Human Resources Overview*
[Nothing entered]

- *Human Resource Levels*

Effective Date		
Total Authorized Position level	0	
Vacant Positions	0	
Current Employment Level	0.0	} breakout of Current Employment Level
Non-Classified (Filled)		
Full-Time Classified (Filled)		
Part-Time Classified (Filled)		
Faculty (Filled)		
Wage		
Contract Employees		
Total Human Resource Level	0.0	= Current Employment Level + Wage and Contract Employees

- *Factors Impacting HR*
[Nothing entered]
- *Anticipated HR Changes*
[Nothing entered]

Service Area Objectives

- We will work toward reducing workplace injuries and illness in the asbestos and lead abatement industry.

Objective Description

The Agency will reduce workplace injuries and illnesses in the asbestos and lead abatement industry by direct intervention using enforcement inspections, on-site consultation programs, cooperative programs, outreach, training and education, information services and standards and guidance. Each licensed asbestos and lead contractor will be inspected as resources allow at least once per year.

Alignment to Agency Goals

- Agency Goal: Provide for safe, healthy, and productive workplaces for Virginia workers, businesses, and the general public.

Comment: This objective supports the Agency goal of providing for safe, healthy workplaces in Virginia businesses by protecting workers, employers and the general public from injury or illness as a result of exposure to asbestos.

Objective Strategies

- Review asbestos and lead permits on a weekly basis to track those contractors who have not been inspected that FY to ensure that proper procedures are followed for removal and encapsulation of asbestos and lead.
- Contractors who have not been inspected at least once in the FY will be given priority of assignment of compliance resources for inspection.

Link to State Strategy

- nothing linked

Objective Measures

- Percentage of contractors inspected each year.

Measure Class: Measure Type: Measure Frequency: Preferred Trend:

Measure Baseline Value: Date:

Measure Baseline Description: 54 percent of contractors inspected in Fiscal Year 2007.

Measure Target Value: Date:

Measure Target Description: The Measure Target (if funding permits) is to steadily increase the numbers of inspections so that 82 percent of contractors are inspected in Fiscal Year 2012, which ends 6/30/2012.

Data Source and Calculation: Data is collected from the Lead Asbestos Removal System (LARS) and the Virginia Occupational Safety and Health (VOSH) Integrated Management Information System (IMIS). The number of completed inspections of contractors is divided by the number of written notifications received by the department that are submitted by asbestos and lead contractors on the department's form for each of their asbestos projects for an asbestos project of 10 or more linear feet. The result is the percent of contractors inspected for the Fiscal Year.

- We will respond quickly to health and safety complaints involving asbestos and lead.

Objective Description

This objective serves the purpose of protecting public safety and the occupational health and safety of workers in the asbestos and lead abatement industry by preventing or causing the removal of health and safety hazards.

Alignment to Agency Goals

- Agency Goal: Provide for safe, healthy, and productive workplaces for Virginia workers, businesses, and the general public.

Comment: This objective supports the Agency goal of providing safe, healthy workplaces in Virginia.

Objective Strategies

- Monthly monitoring of all data entries, documentation of all complaints received and handled.

Link to State Strategy

- nothing linked

Objective Measures

- Percent of responses to health/safety complaints investigated within one business day.

Measure Class: Measure Type: Measure Frequency: Preferred Trend:

Measure Baseline Value: Date:

Measure Baseline Description: 99 percent of health/safety complaints responded to within one business day in Federal Fiscal Year 2007.

Measure Target Value: Date:

Measure Target Description: Maintain a rate of at least 95 percent of health/safety complaints responded to within one business day throughout Federal Fiscal Years 2011 and 2012.

Data Source and Calculation: Program data is tracked utilizing the Integrated Management Information System

(IMIS) database. The Agency offers workers the choice between two approaches to handle their complaints: either the Department of Labor and Industry (DOLI) will conduct an investigation by contacting the employer via phone/fax to inform them of the complaint, with a response required back from the employer within five work days; or, DOLI will conduct an on-site inspection.

Service Area Strategic Plan

Department of Labor & Industry (181)

3/13/2014 8:51 am

Biennium: 2010-12

Service Area 5 of 6

Boiler and Pressure Vessel Safety Services (181 562 01)

Description

This service area implements the Boiler and Pressure Vessel Safety Act. Products and services include:

- Customer service, such as training and technical assistance.
- Issuance of certificates for properly inspected boiler and pressure vessels.
- Commission of owners/users inspection personnel to inspect their own boilers and pressure vessels.
- Identification of unregistered boilers and pressure vessels.
- Issuance of interpretations and technical letters on processes.
- Examination and issuance of inspector certificates to qualified boiler and pressure vessel inspector candidates.
- Regulatory development to establish requirements for the construction, installation, operation, maintenance, and registration of boiler and pressure vessels; and examination of private boiler and pressure vessel inspectors.
- Quality control review and surveys.
- Economic development support through the assurance that boilers and pressure vessels are constructed, inspected and maintained in a safe manner to protect life and property.

Boiler Safety has a unique public-private partnership with insurance companies that insure boiler and pressure vessels and contract fee inspection companies for uninsured companies. The previously described Boiler and Pressure Vessel Safety Act and the Safety and Health Codes Board’s Boiler and Pressure Vessel rules and regulations permit these DOLI certified inspectors, acting on behalf of the Commissioner of Labor and Industry to conduct inspections of these objects and for these inspections to serve as a basis for Boiler Safety’s issuance of a Certificate of Inspection.

Background Information

Mission Alignment and Authority

- *Describe how this service supports the agency mission*
This service area directly aligns with DOLI's mission of making Virginia a better place to work, live, and conduct business through the objective of ensuring the safety of boilers and pressure vessels located in businesses, public buildings, such as schools, and other structures, such as apartment buildings.
- *Describe the Statutory Authority of this Service*
Chapter 1 of Title 40.1 provides for the establishment of the Department of Labor and Industry and establishes the authority of the Commissioner.
 - Chapter 3.1 of Title 40.1, known as the Boiler and Pressure Vessel Safety Act, establishes the minimum requirements for the construction, installation, maintenance and inspection of boiler and pressure vessels. It also provides for the certification of boiler inspectors, owner/user inspection agencies and private contract fee inspectors.
 - The Virginia Safety and Health Codes Board is established as the regulatory and policy board for the program by § 40.1-22. The Board is authorized to establish regulations governing the construction, installation, operation, maintenance, and inspection of boiler and pressure vessels.
 - Section 15.2-910 permits local government to adopt an ordinance requiring boiler operators to obtain a certificate from the local governing body. This section directs the Safety and Health Codes Board to establish standards to be used in determining an applicant's ability, proficiency and qualifications.

Customers

Agency Customer Group	Customer	Customers served annually	Potential annual customers
Inspection Companies	Inspection Companies	23	27
Owners/Users of boilers and pressure vessels	Owners/Users of boilers and pressure vessels	25,000	40,000

Anticipated Changes To Agency Customer Base

Changes in the types of objects being inspected could result in the following changes to the customer base:

- Many heating boilers are being replaced with other types of heat exchangers that are exempt from the Virginia Code such as dual AC/heat pumps and water heaters.
- Increases in the numbers of Nuclear plants will result in more objects needing inspections in utilities.
- Over the road cargo tanks will be built to the ASME Code once DOT approves the federal rule changes in approximately 1-2 years. While enforcement of tanks carrying hazardous material has historically been under the State police, Boiler Safety has the expertise of all ASME Code issues affecting pressure vessels.
- Inspection companies - Boiler Safety has a unique public-private partnership with insurance companies that insure boiler and pressure vessels and contract fee inspection companies for uninsured companies. These partnerships are anticipated to increase.
- Local governmental agencies - Other significant partners are the county or city building officials that will not issue a Use and Occupancy Permit until they see a DOLI issued Certificate of Inspection for each boiler and pressure vessel, as appropriate. There are 15 counties or cities that routinely provide us information about unregistered boilers and pressure vessels being installed or replaced. It is expected that this number will grow as state boiler inspectors continue to meet and educate these officials.
- Officials from the Drinking Water Division of the Department of Health are significant partners and provide DOLI with referrals on all hydro-pneumatic tanks [pressure vessels], as applicable. Many unregistered hydro-pneumatic tanks are expected to be found and either replaced or registered utilizing a very useful partnership.

Partners

Partner	Description
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[None entered]

Products and Services

- *Factors Impacting the Products and/or Services:*
 - The implementation of a Code of Virginia statute that allows State Inspectors to perform limited inspections of boilers and pressure vessels 91 days past due.
 - Continued growth of inspection companies reporting inspections electronically.
 - More customers that are less fluent in English will impact the delivery of services.
- *Anticipated Changes to the Products and/or Services*
 - Customer assistance requests are expected to increase as our educational efforts succeed, and partnerships expand.
 - The number of inspection companies reporting inspections electronically is 20%. Any further increase of inspection companies utilizing electronic reporting will improve both efficiency and response time.
 - The number of owners/users of boilers and pressure vessels speaking principally Korean or Spanish is increasing, especially in the area of small businesses. Response time will adversely increase as a result of communication challenges.
- *Listing of Products and/or Services*
 - Customer assistance: State Boiler Inspectors obtain lists from the Internet of companies and organizations of focused areas of apartment buildings and automobile related services and make compliance visits to initially educate the owners/users about Virginia laws regarding boilers and pressure vessels. Boiler program staff assist customers in maintaining current certificates, finding inspectors, and otherwise maintaining safe boilers and pressure vessels in compliance with regulatory requirements.
 - Inspection and enforcement: Thorough and consistent inspection and enforcement of laws and regulations regarding the construction, installation, operation, and repair of boilers and pressure vessels. Assessing hazards and unsafe conditions and assuring timely corrective actions. Investigation of accidents and complaints. Civil penalty assessment. Inspection, enforcement and services staff assist customers in maintaining safe boilers and pressure vessels in compliance with regulatory requirements.
 - Certification: Persons performing inspections of boilers and pressure vessels are certified. Inspector certification services assure persons performing specialized tasks are qualified and maintain high standards of technical competency. Certification of boilers and pressure vessels at an established frequency assure that they are safe to operate and in compliance with laws and regulations.

Finance

- *Financial Overview*

Boiler and Pressure Vessel Safety Services is currently funded by State General Fund Appropriation. Fees are collected to support this program.

• *Financial Breakdown*

	FY 2011		FY 2012		FY 2011	FY 2012
	General Fund	Nongeneral Fund	General Fund	Nongeneral Fund		
Base Budget	\$549,977	\$0	\$549,977	\$0		
Change To Base	-\$7,529	\$0	-\$7,529	\$0		
Service Area Total	\$542,448	\$0	\$542,448	\$0		
Base Budget	\$549,977	\$0	\$549,977	\$0		
Change To Base	-\$7,529	\$0	-\$7,529	\$0		
Service Area Total	\$542,448	\$0	\$542,448	\$0		

Human Resources

• *Human Resources Overview*

[Nothing entered]

• *Human Resource Levels*

Effective Date		
Total Authorized Position level	0	
Vacant Positions	0	
Current Employment Level	0.0	} breakout of Current Employment Level
Non-Classified (Filled)		
Full-Time Classified (Filled)		
Part-Time Classified (Filled)		
Faculty (Filled)		
Wage		
Contract Employees		
Total Human Resource Level	0.0	= Current Employment Level + Wage and Contract Employees

• *Factors Impacting HR*

[Nothing entered]

• *Anticipated HR Changes*

[Nothing entered]

Service Area Objectives

- We will work to eliminate, or mitigate, injuries, fatalities, and property damage through increasing the numbers of operational certificates issued for pressurized, temperature controlled boilers and pressure vessels.

Objective Description

Protecting the public and workers in areas where boilers and pressure vessels are operated is crucial to public safety. Improper operation and maintenance of boilers and pressure vessels has a high potential for injury, death, and property losses. Through inspections, investigations, and operational permits, DOLI seeks to ensure a workplace free of preventable boiler and pressure vessel hazards: prompt, accurate and thorough investigation of complaints of faulty, inoperative or dangerous boilers and pressure vessels.

Alignment to Agency Goals

- Agency Goal: Provide for safe, healthy, and productive workplaces for Virginia workers, businesses, and the general public.

Comment: Chapter 3.1 of Title 40.1, known as the Boiler and Pressure Vessel Safety Act establishes the minimum requirements for the construction, installation, maintenance and inspection of boiler and pressure vessels. It also provides for the certification of boiler inspectors, owner/user inspection agencies and private contract fee inspectors. The Virginia Safety and Health Codes Board is established as the regulatory and policy board for the program by §40.1-22. The Board is authorized to establish regulations governing the construction, installation, operation, maintenance, and inspection of boiler and pressure vessels.

- Agency Goal: Provide excellent customer service through the effective performance of DOLI personnel.

Comment: By assisting citizens to become more knowledgeable in the safe construction, installation, operation, and repair of boilers and pressure vessels, there will be fewer accidents. This will improve public safety and attract national and international businesses resulting in economic growth.

Objective Strategies

- State Boiler Inspectors make compliance visits in focused areas of apartment buildings and automobile related services to initially educate owners/users about Virginia's laws regarding boilers and pressure vessels.
- Emphasis on non-compliant equipment owners and operators through sharing of information with local building officials, partnerships with insurance companies, identification of overdue inspections.
- Increase public awareness and participation through public service announcements, safety brochures, and production of safety video.

Link to State Strategy

- nothing linked

Objective Measures

- Number of certificates issued for previously un-inspected boiler and pressure vessel objects.

Measure Class: Measure Type: Measure Frequency: Preferred Trend:

Measure Baseline Value: Date:

Measure Baseline Description: Measure Baseline: The Measure Baseline is the 330 warning certificates issued for previously unregistered boiler and pressure vessel objects in Fiscal Year 2009.

Measure Target Value: Date:

Measure Target Description: Measure Target: The Measure Target is to steadily increase the number of certificates issued for previously unregistered boiler and pressure vessel objects, with a goal of 347 such certificates to be issued in Fiscal Year 2012, which ends 6/30/2012.

Data Source and Calculation: Data will be based upon report information recorded by each Boiler and Pressure Vessel State Inspector. Emphasis will be directed toward compliance visits at apartment and automobile related facilities.

- Number of inspection certificates issued for boiler and pressure vessel objects.

Measure Class: Measure Type: Measure Frequency: Preferred Trend:

Measure Baseline Value: Date:

Measure Baseline Description: 34,993 inspection certificates issued for boiler and pressure vessel objects in Fiscal Year 2007.

Measure Target Value: Date:

Measure Target Description: The Measure Target is a steady increase in inspection certificates issued for boiler and pressure vessel objects, with a goal of 36,800 such certificates to be issued in Fiscal Year 2012, which ends 6/30/2012.

Data Source and Calculation: Number of acceptable inspection reports conducted resulting in a Certificate of Inspection being issued by Boiler and Pressure Vessel program.

Service Area Strategic Plan

Department of Labor & Industry (181)

3/13/2014 8:51 am

Biennium: 2010-12 ▼

Service Area 6 of 6

Administrative and Support Services (181 599 00)

Description

Administrative and Support Services for the Department of Labor and Industry include the Office of the Commissioner; Human Resources; and Administration and Finance. This service area is responsible for the following agency-wide functions: executive management and direction; agency human resource services which includes staff recruitment and retention, training, benefit administration, dispute resolution, implementation and evaluation of fair employment practices; and resource administration that includes accounting, budgeting, financial management and compliance (including grants), IT and management information services, records management, regulatory promulgation, legislative coordination, policy management, asset management, risk management, contract management, purchasing, facilities management, general service support, and telecommunications. Service partners include Virginia's central support agencies; federal grantor agencies; non-English language radio stations, newspapers, and chamber of commerce groups; media groups; senior citizen worker placement organizations; vendors; and minority and women owned businesses.

Background Information

Mission Alignment and Authority

- *Describe how this service supports the agency mission*
Administration and Support Services supports the agency programs by ensuring the efficient utilization and management of resources in the performance of the agency mission. This is achieved by applying best practices in management of funds and human resources, strategic planning and change management; compliance and internal audit; and responsiveness to customer needs.
- *Describe the Statutory Authority of this Service*
Chapter 1 of Title 40.1 provides for the establishment of the Department of Labor and Industry and establishes the authority of the Commissioner.

Chapter 1 of Title 40.1 (§ 40.1-6 (5)) authorizes the Commissioner "to appoint such representatives as may be necessary to aid him in his work; their duties shall be prescribed by the Commissioner."

Customers

Agency Customer Group	Customer	Customers served annually	Potential annual customers
Employees	Agency Employees and Volunteers	184	184
Agency Vendors	Agency Vendors	144	160,000
Apprentices	Apprentices	12,299	13,037
Asbestos and Lead Abatement Contractors	Asbestos and Lead Abatement Contractors	320	320
Attorneys	Attorneys	2,300	26,123
Employer Sponsors	Employer Sponsors	2,056	2,179
Employers	Employers	209,903	209,903
Governmental Entities	Government Entities	465	465
Inspection Companies	Inspection Companies	23	27
Issuing Officers	Issuing Officers	1,500	1,500
Labor Organizations	Labor Organizations	75	75
News Organizations	News Organizations	2,600	2,600
Non-English Speaking Media Organizations	Non-English Speaking Media Organizations	1	10
Owners/Users of boilers and pressure vessels	Owners/Users of boilers and pressure vessels	25,000	40,000
Potential Vendors and SWAM Contacts	Potential Vendors and SWAM Contacts	38	38
Public	Public	0	0
Related Instruction Coordinators	Related Instruction Coordinators	16	16

Safety and Health Codes Board	Safety and Health Codes Board	1	1
Virginia Apprenticeship Council	Virginia Apprenticeship Council	1	1
Volunteer Organizations	Volunteer Organizations	1	1

Anticipated Changes To Agency Customer Base

The Agency anticipates that efforts and resources will increasingly be directed toward addressing service issues to non-English speaking customers. To support those efforts, the Agency will be intensifying the recruitment of bilingual employees.

To maintain the present level of services and to respond to an ever-increasing need for the Agency's services, efforts will be made to support recruitment, training, and retention of professional program staff.

In addition, the Agency anticipates contacts with increasingly diverse vendors, especially businesses owned by minorities and women.

The Agency anticipates an ever-increasing demand for updated IT services. We expect the trend of rising numbers of Internet inquiries and requests for assistance will continue.

There will be increases in the numbers of vendors participating in state procurement transactions.

The State's Enterprise Architecture and Enterprise Application initiatives will increase contact with eventual contract staff.

Partners

Partner	Description
[None entered]	

Products and Services

- *Factors Impacting the Products and/or Services:*

Despite the recent economic downturn, DOLI's staff still interact with a significant number of non-English speaking customers, both employers and employees. Moreover, many employees and employers in Virginia who speak some English may not be proficient in reading English. DOLI has made an effort to hire staff who speak languages other than English. We have printed many of the Agency's informational posters and brochures in Spanish. There is a further need for DOLI's posters and brochures to be translated into other languages.

DOLI will probably experience a huge staff turnover as experienced older employees retire. In addition, extremely inadequate salaries, salary compression, and a lack of funds for staff training all contribute to low staff retention, which decreases productivity.

DOLI's technology resources are aging and, in many cases, obsolete. Current IT transformation initiatives include an IT infrastructure outsourcing contract and an enterprise application track which covers state accounting, budgeting, human resources, procurement, and other enterprise programs, such as permitting and licensing.

DOLI is required to use and maintain OSHA's Integrated Management Information Systems (IMIS) and Compliance Safety and Health Officer (CSHO) IT systems and technology which are contingent upon federal funding and support at both state and federal levels.

Central Agency requirements will continue to impact DOLI's IT systems and processing procedures.

DOLI is implementing additional state-level requirements for a more structured approach to internal controls. These new requirements will necessitate new administrative policies and procedures, mandatory training, and risk assessment tools, as well as internal control checklists and questionnaires. It will also be necessary to devise a new process for reviewing the Agency's internal control performance measures.

- *Anticipated Changes to the Products and/or Services*

We anticipate that it will be increasingly necessary to direct DOLI's efforts and resources toward serving non-English speaking customers. We expect that DOLI will need to intensify efforts to recruit, train, and retain professional program staff. We also anticipate that it will be necessary to continue to research, identify, and implement best practices.

- *Listing of Products and/or Services*

- Executive Management, Control, and Oversight
- Planning and Resource Allocation
- Legislative Liaison
- Internal Risk Management and Mitigation
- Supply Chain Management
- Information and Technology Management

- Human Resource Management
- Financial Management
- Administrative Management
- Regulatory Development
- Public Affairs
- Revenue Collections

Finance

- *Financial Overview*
Agency administrative and support services are funded with state general funds and non-general indirect costs recovery funds.
- *Financial Breakdown*

	FY 2011		FY 2012	
	General Fund	Nongeneral Fund	General Fund	Nongeneral Fund
Base Budget	\$2,540,382	\$670,557	\$2,540,382	\$670,557
Change To Base	-\$91,608	\$0	-\$91,608	\$0
Service Area Total	\$2,448,774	\$670,557	\$2,448,774	\$670,557

Human Resources

- *Human Resources Overview*
[Nothing entered]
- *Human Resource Levels*

Effective Date		
Total Authorized Position level	0	
Vacant Positions	0	
Current Employment Level	0.0	
Non-Classified (Filled)		} breakout of Current Employment Level
Full-Time Classified (Filled)		
Part-Time Classified (Filled)		
Faculty (Filled)		
Wage		
Contract Employees		
Total Human Resource Level	0.0	= Current Employment Level + Wage and Contract Employees

- *Factors Impacting HR*
[Nothing entered]
- *Anticipated HR Changes*
[Nothing entered]

Service Area Objectives

- We will ensure the efficient utilization and management of resources in the performance of the agency mission and in a manner consistent with applicable state and federal requirements

Objective Description

Effective management of resources is vital to ensure that DOLI's programs and customers receive accurate, timely, reliable information; vendors are promptly paid; employee human resource needs are addressed; effective controls are in place to safeguard the Agency's resources; and administration of the Agency's resources, including grants, is in compliance with all state and federal statutes and procedures. DOLI provides the data required by the Virginia Performs Management Scorecard, which serves as a measure of state agency operations to ensure that resources are used efficiently and that programs are managed effectively in a manner consistent with applicable state and federal requirements.

Alignment to Agency Goals

- Agency Goal: Provide excellent customer service through the effective performance of DOLI personnel.

Objective Strategies

- The Department of Labor and Industry will manage administrative and customer service functions to ensure compliance with state and federal regulations, and with the Agency's policies, procedures, and philosophy. DOLI will attempt to retain a qualified, trained staff and maintain adequate staffing levels to ensure that resources are used effectively.

Link to State Strategy

- nothing linked

Objective Measures

- Percent of administrative measures (formerly known as Management Scorecard) marked as "meets expectations" (green indicator)

Measure Class: Measure Type: Measure Frequency: Preferred Trend:

Measure Baseline Value: Date:

Measure Baseline Description: Achieved a 100 percent rating on administrative measures in Fiscal Year 2009.

Measure Target Value: Date:

Measure Target Description: To maintain a 100 percent rating on administrative measures for Fiscal Years 2011 and 2012.

Long-range Measure Target Value: Date:

Long-range Measure Target Description: To maintain a 100 percent rating on administrative measures

Data Source and Calculation: The Data Source consists of the 13 administrative measures that are organized into five categories under the Virginia Performs / Agency Planning and Performance / Administrative Measures. The Calculation is the percentage of the total number of colored indicators which are green (indicating meets expectations).